



# International Labor Rights Forum

1634 I NW, Suite 1001, Washington, DC 20006

April 18, 2013

**Testimony by Brian Campbell, Director of Policy and Legal Programs**

**before the United States House of Representatives, Committee on Foreign Affairs,  
Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations,**

**Hearing “Tier Rankings in the Fight Against Human Trafficking” and  
the government of Uzbekistan**

Thank you for the opportunity to provide vital information concerning the government of Uzbekistan. I hope that the information provided herein will support the decision-making process for the Tier placement of Uzbekistan in the 2013 Global Trafficking in Persons Report (J/TIP). I present to you today on behalf of the International Labor Rights Forum, a member of the Cotton Campaign, a global coalition of companies, human rights NGOs, industry associations, investors and trade unions coalesced to end forced labor of children and adults in the cotton sector of Uzbekistan. Our broad multi-stakeholder coalition works in Uzbekistan, the United States, the European Union and member states, plus South Korea and Australia to organize diplomatic and economic pressure on the government of Uzbekistan to meet its commitments to fundamental human rights.

The State Department, Labor Department and the Cotton Campaign are all on the same page. There is FL widespread forced labor in Uzbekistan. In the 2011 Findings on the Worst Forms of Child Labor, released in the fall of 2012, the US Department of Labor wrote,

*“In 2011, Uzbekistan made no advancement in efforts to eliminate the worst forms of child labor. Although the Government created an Interagency Working Group to combat child labor, it failed to enforce legislation prohibiting the worst forms of child labor in the production of cotton. Authorities again closed schools and mobilized children to work in the annual autumn cotton harvest to meet Government-mandated harvest quotas.”<sup>1</sup>*

In the 2012 *Trafficking in Persons Report* on Uzbekistan, the US Department of State wrote,

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<sup>1</sup> Department of Labor, United States of America, *2011 Findings on the Worst Forms of Child Labor*, “Part IV: Country Profiles – Uzbekistan,” page 657.

*The Uzbek government continued to force children and adults to pick cotton. As in previous years, the government set a quota for national cotton production and paid farmers artificially low prices for the cotton produced, making it almost impossible for farmers to pay wages that would attract a voluntary workforce. Provincial mayors and governors were held personally responsible for ensuring that the quota was met; they in turn passed along this pressure to local officials, who organized and forced school children, university students, faculty, and other government employees to pick cotton. The government continued to refuse to allow the ILO to monitor the cotton harvest and denied that forced labor of children or adults in the cotton sector exists in Uzbekistan.”<sup>2</sup>*

Despite these well-known facts, the State Department has consistently failed to hold the Government of Uzbekistan to the standard set by Congress in the Trafficking Victims Protection Act. In 2012, for the second consecutive year, the State Department exercised its authority to waive an automatic downgrade of Uzbekistan to Tier 3 for J/TIP, citing a written and funded plan of action from the government of Uzbekistan. Following both J/TIP placements, the Uzbek government continued to implement its forced labor cotton production system, consistently denied the existence of forced labor, and silenced citizen monitors. Neither the government of Uzbekistan nor the State Department made publicly available any written plan of action of the Uzbek government or evidence of its implementation. To the contrary, according to representatives of the US State Department, the mobilization of adults and children continued to be the prevalent practice in Uzbekistan, and the new inter-ministerial committee of the Uzbek government did not accomplish much. The government of Uzbekistan fully ignored the recommendations to take substantive action, prosecute government officials complicit in forced labor of children and adults in the cotton sector, and to allow the International Labour Organization (ILO) to conduct an assessment.

Evidence from the fields year after year indicates that the government of Uzbekistan has not made significant efforts to end forced labor in the cotton sector and intends to continue the practice by communicating a myth of effort and improvement to the US government and all of its governmental and private-sector partners worldwide.

## **I. Update from the Fall 2012 Cotton Harvest**

According to the Uzbek-German Forum, whose conducted interviews and collected facts from 5 administrative areas where cotton production is concentrated. It is a difficult task to monitor instances of abuse in the Uzbek cotton harvest. Reporting the full extent of forced labor in the cotton sector of Uzbekistan continues to be undermined by the government of Uzbekistan’s steadfast opposition to ILO monitoring and severe repression of Uzbek citizens who attempt to document the harvest. The government carefully avoids documentation of the coercive mobilization of adults and children. Students are forbidden from using their phones to photograph the accommodations where they stay, and farms are under surveillance by police. Human rights defenders are regularly harassed for trying to document the situation in the fields, as the documentation below will show. Despite the Uzbek government’s efforts to repress monitoring and reporting on the cotton production system, brave Uzbek citizens ensure that ample

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<sup>2</sup> Department of State, United States of America, *Trafficking in Persons Report, June 2012*, “Uzbekistan (Tier 2 Watch List),” page 368, available at <http://www.state.gov/documents/organization/192598.pdf>, last accessed 21 January 2013.

evidence is documented and distributed each year. The specific instances gathered by the monitors and presented in this report reflect the nationwide, systematic and continuous scope of the serious problem of forced labor in Uzbek cotton production.

#### *A. A Demographic Shift, but No Progress*

The 2012 cotton harvest was marked by continued state-sponsored forced labor of children and adults, increased extortion of financial resources by government authorities from citizens, and a shift of the cotton picking burden to older children and more adults.

Likely due in part to international pressure, Uzbek authorities did not send children from all primary schools to pick cotton, as they had done in previous harvests. Yet the government of Uzbekistan continued the state order cotton production system underpinned by forced labor. Nationwide, authorities enforced cotton production quotas on farmers and forced children over age 15, government employees – including teachers, nurses, doctors and others – and private-sector employees to contribute to the cotton harvest, under threat of punishment.

The Uzbek government orchestrated a demographic shift of the burden of the cotton harvest to older children and adults. The authorities tried to present mass mobilization of people to the cotton fields in autumn 2012 as voluntary citizen work, also known as “khashar”. The superficiality of the claim was seen in such actions as ordering citizens to replace signs reading “Cotton-2012” with ones reading “Khashar-2012” on their car windshields.

The government kicked off the 2012 cotton harvest on September 2, and it ended in early November. The reality is that over a million millions of citizens of different occupations, from high-school students to teachers, doctors and employees of multinational enterprises, were coercively mobilized to harvest the cotton that returns income not to their pockets but to those of the authorities.

Observers of the 2012 cotton harvest in Uzbekistan reported several disturbing trends:

- The number of adults forced to work in the cotton fields increased. On average 15 to 20 percent of all government employees - including medical staff and secondary school teachers - were working in the cotton fields at any given time. After two to three weeks, they were replaced by the next group of workers from their respective institutions and offices. Almost all high-school (college, lyceum and institute) teachers were sent to the cotton fields.
- The authorities once again suppressed all attempts to monitor the situation in the cotton fields. Local activists encountered threats and arrest when attempting to document the harvest. Authorities forbade photography and videography. The government of Uzbekistan again refused to allow an International Labour Organization observer mission that the tripartite ILO has recommended for years.
- Extortion of financial and other resources from Uzbek citizens by government authorities increased. Private businesses and joint companies had to pay their “toll” by contributing financial and human resources.

- Citizens had to pay money even if they went to cotton fields, but failed to deliver the required quota. Those who could not go to the fields for various reasons were obliged to pay \$100-150 to their supervisors. Many Cotton pickers were not paid for their work but had to cover their food and accommodation expenses, for which the authorities grossly overcharged them.
- Law enforcement agencies were involved in organizing all stages of the cotton harvest. Police organized people's departure to the cotton fields. State security personnel intimidated those who resisted or refused to participate in cotton harvest, accompanied and guarded the cotton pickers, added an intimidating presence to daily "cotton" meetings with farmers, and patrolled the roads to prevent students from escaping and activists from monitoring the situation in the fields.

The government's propaganda presented the mass participation of people in the cotton harvest as a voluntary contribution of citizens, conscious of their "duty to the motherland." Throughout the harvest, the official state-controlled media pathetically reported on the participation of citizens in the harvest and dutifully left out the government's coercive means of mobilizing them.

"In order to promptly reap the rich harvest of 'white gold' in the fields, thousands of people in Uzbekistan that had nothing to do with agriculture, were involved in helping farmers", the official website Uzinform informed. ([www.uzinform.com](http://www.uzinform.com)).

The Uzbek government's coercive enforcement practices for the cotton harvest have been consistently applied and well-documented during the last decades. As a result, the authorities did not experience resistance from the population, who are accustomed to the harvest work. Government officials worked with law enforcement to mobilize citizens en masse. Parents, as has become the norm over so many years, packed food and clothing for their children to work in the cotton fields, often justifying that "they also picked cotton as children" and that the "physical work is useful in any case."

How can one make an educated adult agree to hard and unprofitable work in the cotton fields? Why do University professors, scientists, technicians and doctors not speak up against cotton picking?

The answer lies in the repressive nature of the authoritarian regime in Uzbekistan, which exercises systematic and total control over its citizens. In Uzbekistan, social control and regulation of social behaviour is exercised in different ways. They can be divided into three main groups: political, economic and cultural-educational methods. All three are applied in order to mobilize millions of people in the cotton harvest.

The Uzbek government maintains political power through violence and threats of violence, maintaining constant fear among citizens for their lives and livelihoods, total repression of political opponents, and arrests on fabricated charges of thousands of people for their involvement in "informal religious organizations" so as to sustain the narrative that criticism of state policy is a danger to society. Everybody, from uneducated mardikors (day laborers) to certified physicians, understands and reports that "cotton is politics".

Economic sanctions - job dismissal, loss of salary, expulsion from the University, loss of social benefits - are threatened and applied in all institutions. For a doctor or a teacher, loss of a job can turn into a

personal catastrophe, as the authorities operating the state-controlled economy can ensure that the dismissed never finds another job.

In Uzbekistan, the government has preserved the Soviet system of attaching specialists to their workplaces. In practice, a qualified Uzbek doctor can continue his or her career only within the same institution, state hospital or clinic. Private medicine is tightly controlled through a system of patronage. To open a private medical practice, a physician needs to obtain a state license through a system that will reject anyone considered disloyal.

A similar system governs secondary and high schools, which are fully funded, controlled and corrupted by government authorities. Professional teachers are not considered to be an important part of the learning process and not valued by their university or school. A school administrator's professional career depends primarily on personal loyalty to superiors and only secondarily on demonstrated aptitude.

The state system of social assistance to the poorest population is perceived as public charity due to skilful propaganda, while in practice it enables all kinds of abuse. Citizens who receive the meagre state allowances tend to be elderly, young mothers and, in any case in need. To obtain this social support, recipients are obliged to pick cotton and respond with gratitude.

For the 2012 cotton harvest, the government used propaganda eagerly. To justify "universal khashar", the authorities appealed to traditions that they have distorted and constructed, e.g. "seniors should be respected" and "cotton is the pride of the nation." Duty to the country supposes individual contribution to the cotton harvest. Official media cynically presented the harvest as a battle against the enemy in which personal losses are collateral damage.

Within this framework, the official press publicized information about the mass involvement of high-school students (ages 15-18), and people of all professions in the cotton harvest across the country. Throughout the 2012 harvest, official media ran headline after headline to highlight the work of children and adults in the cotton fields, for example: "Namangan students set records of cotton picking", "Motor transport employees get involved in cotton picking in Khorezm", "Namangan athletes are at cotton khashar", "Contribution of physicians", "20,000 volunteers from Fergana will go to cotton khashar."

#### ***B. Continuation of state-sponsored forced child labor, despite a reduction in the closure of primary schools***

A significant factor that differentiated the 2012 cotton harvest from previous years was the reduction in state-sponsored forced labor of children under the age of 15. In July, Uzbekistan's Prime Minister issued verbal orders that schoolchildren were not to be sent to pick cotton, a statement that merely reiterated the existing national law that prohibits child labor. Similar statements were issued in previous years, but they were never fulfilled in practice. This year, the statement had an effect: for the first time in many years, the majority of schools for children under age 15 were not closed, and therefore young children were not forced en masse by government authorities to pick cotton. During the harvest, most elementary schools remained open. Unfortunately, sporadic forced labor of children under age 15 occurred, and the state-sponsored forced labor system was fully employed.

## ***1. Forced labor of young children (ages 7 -14)***

*"In our school, children took part in the harvest. First were sent grades 7-9 after school. After some time they did not study, and went to the harvest directly from their houses. In the end, grades 4-5 were also sent (to pick cotton). Until the school holidays children were taken out to the fields."* - School teacher, Kashkadarya.

According to official statistics, out of 30 million people in Uzbekistan, more than 10 million are children and adolescents. In July, Uzbekistan's Prime Minister issued orders that schoolchildren were not to be sent to pick cotton, a statement that merely reiterated the existing national law that prohibits child labor. Although in 2012 not all primary and secondary schools were closed for their pupils to pick cotton, dozens of cases of schoolchildren from classes 5-9 (ages 11-15) forced to work in the fields were observed. Government authorities closed schools in at least three regions of the country: Kashkadarya, Samarkand and Andijan.

In many regions, by the end of September schoolchildren were sent to the fields after a few lessons. Starting in early October, directors of rural schools were ordering their teachers to take students along with them to pick cotton. As in previous years, children were told to come to school with food, water and aprons for cotton harvesting.

Younger children worked in the fields without going to studies for up to one month. In the Marhamat district of Andijan region, schoolchildren of 5 to 8 classes (ages 11-14) picked cotton from September 24 to October 10. During the first week they picked cotton after two lessons, and later on during the harvest, the school was closed.

*"Our school is located next to the main road, so at first we were told to give at least 1-2 lessons and then get students to the fields. From September 20, children of the 7-9th classes were sent to cotton harvest. After ten days, children of the 5<sup>th</sup> class and during the last days the second class were sent to the fields."* - teacher from Yakkabog area, Kashkadarya

Teachers and students suffered the same situation in the Ishtihan district of Samarkand region. A teacher at a rural school told Radio Ozodlik in an interview that the governor of Ishtihan district, Shukhrat Nematov, called rural school directors and ordered them to mobilize children to the cotton harvest. Beginning September 27, children from the 8<sup>th</sup> and 9<sup>th</sup> classes (ages 14-15) were picking cotton.

Ishtihan district schoolchildren worked for three days. Following reports by Radio Ozodlik, they were promptly sent back to school. On September 29, the Ministry of Education published a disclaimer and accused "a range of foreign media" of disseminating false information about sending schoolchildren in Ishtihan district to pick cotton. In a radio interview to Ozodlik, a school teacher said that they were immediately returned to school following the publication and were warned not to tell anyone about their involvement in the cotton harvest.

It is noteworthy that the farmers were also informed about the ban on using schoolchildren and, in some cases, refused to let them work in their cotton fields. Although government authorities had issued statements banning child labor in previous years, they were never fulfilled in practice. A student in Andijan noted the behaviour in 2012: *"There was one problem. Farmers said they will not accept schoolchildren as they might have problems. We went first to one farmer, then to another. Finally we found a farmer, whose field was in the outskirts. He gave us permission to pick cotton. It was either the third or the fourth harvest reap."*

Obviously, this year the government decided to refrain from mass mobilization of schoolchildren to the fields. In early September, the Ministry of Education issued a document that obliged school directors to prevent schoolchildren from harvesting cotton.

Қашқадарё вилояти халқ таълими  
бошқармаси бошлиғи Т.Саидовга

Яккабоғ тумани халқ таълими муассасалари фаолиятини методик таъминлаш ва ташкил этиш бўлимига қарашли 9 - умумий ўрта таълим мактаби директори У. Тарманов томонидан

### КАФОЛАТ ХАТИ

Мен, Қашқадарё вилояти Яккабоғ тумани халқ таълим муассасалари фаолиятини методик таъминлаш ва ташкил этиш бўлимига қарашли 9 - умумий ўрта таълим мактаби директори У. Тарманов

Ўзбекистон Республикаси "Бола ҳуқуқларининг кафолатлари тўғрисида"ги Қонуни, "Болалар меҳнатининг оғир шакллари таъқиқлаш ва йўқ қилишга доир шошлинч чоралар тўғрисида"ги ва "Ишга қабул қилиш учун энг кичик ёш тўғрисида"ги Конвенциялар, халқ таълими вазирлигининг 2012 йил 2 августдаги "Ўзбекистон Республикаси Вазирлар Маҳкамасининг 2012 йил 23 июлдаги 01-03/1-131-сонли хатида белгиланган вазифалар ижросини таъминлаш тўғрисида"ги 234-сонли буйруғи талабларининг тўлиқ бажарилишини таъминлайман.

Хусусан, Ўзбекистон Республикаси Вазирлар Маҳкамасининг 2012 йил 31 августдаги 07-07-1 -130-сонли "Республика умумтаълим мактабларида қўшимча дарслар, синфдан ташқари машғулотлар ташкил қилиш орқали ўқувчиларнинг билимларини янада ошириш, маънавий-маърифий тадбирларни кенгайтириш ва мактаб ўқувчиларининг бўш вақтларидан унумли фойдаланиш буйича қўшимча чора-тадбирлар тўғрисида"ги йиғилиш баёнида белгиланган вазифалардан келиб чикиб:

- 1) мактабда ўқув машғулотларининг тасдиқланган жадвал асосида ўтказилишини тўлиқ таъминлаш;
- 2) Ўқувчиларнинг бўш вақтларини тўғри ташкил этиш мақсадида барча фанлардан қўшимча дарслар, синфдан ва мактабдан ташқари машғулотлар (фан, касбий, спорт, эстетик йўналишдаги тугараклар, тадбирлар)нинг тасдиқланган жадвал асосидаги фаолиятини самарали ташкил этиш, бунинг учун тажрибали мутахассисларни жалб этиш, спорт секциялари, компьютерлар, ўқув ва лаборатория хоналари, ўқув ва лаборатория ускуналари, жихозлари, кутубхона хизмати кабилардан унумли фойдаланишни йўлга қўйиш;
- 3) Ўқувчиларни ёшига нисбатан таъқиқланган ишлар (пахта йиғим-терими ва ёлланма иш турлари)га жалб этмасликни таъминлаш, бунинг учун ота-оналар, маҳалла ва жамоатчилик ташкилотлари ўртасида тарғибот-ташвиқот ишларини олиб бориш ва уларнинг фаол иштирокини таъминлаш;

Юқорида санаб ўтилган вазифалар ижросини таъминлай олмасам, мен билан тузилган меҳнат шартномасини бекор қилиш (эгаллаб турган лавозимидан озод этиш)гача бўлган интизомий чора кўрилишига розиман.

Мактаб директори

2012 йил 5 сентябрь.

У. Тарманов

У. Тарманов



**TRANSLATION TO ENGLISH:**

To: T. Saidov  
The Head of Kashkadarya Region  
National Education Department

By the director of school #9 which belongs to YAKkabog District department of national educational institutions and their methodical provision, I. -----nov.

**Letter of Guarantee**

I, the director of school #9 which belongs to YAKkabog District department of national educational institutions and their methodical provision I. Parmanov will fully provide the fulfilment of the Laws of Republic of Uzbekistan on "Guaranteeing Child's Rights", "Urgent measures on Prohibition and Elimination of worst forms of child labour" and Conventions on "Minimum age for employment", the order # 234 of National Education Ministry on providing the fulfilment of tasks identified in the letter of Parliament issued in 23 July, 2012 (01-03/1-131).

In particular, the tasks issued by the Parliament of Republic of Uzbekistan in 31 August, 2012 07-07-01 -130 on "Improving children's education by organising extracurricular lessons and additional classes in secondary schools of the Republic, and to increase moral- educational events and organise other additional events for children to use their free time resourcefully. Taking into consideration all those tasks:

1. Fully provide the classes under approved school curriculum;
2. In order to organise pupils' free time, to establish additional classes for all subjects (subjects, skills, sports, and aesthetic group classes and events)and organise approved curricular activities and in order to achieve this to involve experienced professionals and to effectively use sports sections, computers, study and laboratory rooms, equipment, facilities and library services.;
3. To guarantee children not to get involved in work prohibited for their age (cotton harvesting and other hired labour)and to organise propaganda informational activities among parents, neighbourhoods and wider communities in order to achieve that and provide their active participation.

If I cannot fulfil the above tasks, I agree to take measures up to the termination of work contract (and free me from my post)

School Director \_\_\_\_\_

5 September, 2012

But even where younger children were not mobilized for the harvest, the state-sponsored mobilization of teachers, parents and older school children continued to negatively affect the learning process. With an estimated 60% of school teachers forced to pick cotton, students received partial lessons for two and a half months.

*"The number of classes was reduced. For example, a topic, which requires six lessons, was studied in four. Schoolchildren had to study some topics on their own, as homework. Not everybody does homework; therefore many topics were left unstudied,"* explained a school teacher from Tashkent region.

Another worrisome trend of the 2012 harvest was increased child labor among rural families. The villagers went to pick cotton with their children in order to earn "real" money, but not from the government-controlled farms and cotton enterprises. This year, villagers could pick and sell cotton to the adults forced to work the harvest, particularly professionals sent from Tashkent, at a price twice that set by the state. Given the entrenched and deepening unemployment and poverty in most of rural Uzbekistan, this proved to be an additional motivation for rural families to bring their children to pick cotton.

A college student reported, *"We stayed in a school in the middle of the village. Local children studied in another school during the second shift. They were even kept at school after the shift to prevent them from picking cotton. Children wanted to pick, because they wanted to help their poor parents earn money.*

## ***2. Forced labor of older children: students of colleges and lyceums (age 15-18)***<sup>3</sup>

*"We were taken to the cotton fields on September 14. Usually, they did not send students of lyceums and if [they did], only the third course students. This year, they sent everyone, from the first to the third course. During the cotton harvest, the lyceum was closed. We came back home on October 28. "* – 2nd-year lyceum student, Andijan

College and lyceum (high-school) students aged 15 to 18 are the main labor force of every cotton harvest. In clear violation of national law and international conventions, they bear the brunt of the burden of the cotton harvest. In its 2013 Report, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) reminded the Uzbek government that persons under 18 years of age are children under the law:

“The Committee previously noted the various legal provisions in Uzbekistan which prohibit forced labour, including article 37 of the Constitution, section 7 of the Labour Code, and section 138 of the Criminal Code. It also noted that section 241 of the Labour Code prohibits the employment of persons under 18 years in hazardous work, and that the “list of occupations with unfavourable working conditions

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<sup>3</sup> Colleges and lyceums in the education system of Uzbekistan are equivalent of high school in the United States and many European Union member states. Historically, most Uzbek children start college/lyceum at age 16, although increasingly the first year students are age 15. According to national statistics, more than a third of the 560,345 college and lyceum students began at age 15.

in which it is forbidden to employ persons under 18 years of age” prohibited children from watering and gathering cotton by hand.”<sup>4</sup>

To send fewer young schoolchildren to the cotton fields, authorities increased the severity of the burden on the rest of the population, including on older children, ages 15-18. For the first time in many years, students of the academic lyceums, where the most talented children prepare for higher education, were sent to pick cotton. For example, students of the single academic lyceum in Angren were sent to harvest cotton from September 15 until late October.

*"At first we were told that our lyceum is the only one in the city and we will not be taken to the cotton harvest. Our parents were asked to pay 70.000 sums [approximately USD\$30] to help other pickers. We stayed. All other colleges left for cotton on September 8. On September 15, we were also sent to the cotton. Surprised parents were told they could pay an additional 300.000 sums [approximately USD\$110] to hire mardikors,"* - a 15-year-old lyceum student said.

In 2012, as in previous years, almost all lyceums and colleges across the country were closed until the end of the harvest. As of November, most college and lyceum students had not yet spent a single day studying during the academic year, which commences in September.

Whereas adult cotton pickers spent on average two weeks in the fields and were replaced by other employees, these older children lived and worked for more than two months in the fields, from the start to the end of the harvest.

In some regions, these children had to stay working in the fields until November 10, despite the fact that the cotton harvest plan was fulfilled. A college teacher explained that he waited for an authorization from the khokimiyat (local government administration), because he could not unilaterally decide to let the children go home. *"Cotton crop was over. More than 100 students and teachers were in the fields until November 10, as there was no authorization."*

According to the most modest estimates, the number of college and lyceum students (ages 15-18) involved in the cotton harvest was more than half a million people. According to statistics, in September 2012, 560.345 students were enrolled in the first class academic lyceums and colleges.

*"On September 23, cultural and educational activities, fun games, songs and dances were organized for students of the Navoi Teachers College, picking cotton at the Alisher Navoi farm. The Regional Office of Youth Movement "Kamolot" called students to harvest "white gold" in good faith. Every person living in Uzbekistan should contribute to the prosperity of the Motherland."*<sup>5</sup>

Government authorities' blatant disregard for the rights of the children and students was displayed by state media and public acknowledgement of the children's work in the cotton harvest. During the harvest,

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<sup>4</sup> Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan, 2013, page 406.

<sup>5</sup> UzInform, "Долг перед Родиной," 25 September 2012, available at <http://www.uzinform.com/ru/news/20120925/15373.html>, last accessed 8 April 2013.

"cultural evenings" were organized for college students, and those who picked the most cotton received diplomas as "the best pickers." The cotton harvest administration in some regions also granted honorary titles of the "most active University" (Samarkand State University and Samarkand Agricultural Institute), "most active college" (Samarkand pedagogical and Ishtihan medical colleges), "most active student" (N.Safarova, H.Urunova, M. Fayzullaeva) and "most active family" (Shodiev family in Kattakurgan district).<sup>6</sup>

Behind the official media propaganda was forced labor, extortion, threats and beatings of those who could not fulfil the established individual harvesting quotas. Children ages 15 and older and adults were forced en masse to work the harvest without the right to refuse, subjected to humiliation, punishment and living in squalid conditions.

*"To avoid cotton harvest one has to have either power or the money. Last year, two students were expelled from the Institute of Agriculture. They did not go to pick cotton. As soon as the studies began, they were expelled for absence. After this how can you not be afraid?"* - 3<sup>rd</sup> year student of Andijan University.

One of the distinctive features of the 2012 cotton campaign was that the government made citizens bear significant costs of the cotton harvest. The system of shifting financial and human costs to the population was very simply. For example, local government authorities gave a distribution list (number of people) and a plan (amount of cotton to contribute) to academic lyceums and colleges. In many cases, the majority of parents were ready to "buy off" their children's freedom from the cotton harvest by paying \$100-150 to the college or lyceum management. The school management claimed that the money would be used by the college to hire cotton pickers or buy the required amount of cotton.

*"One had to pay 30,000 sum a day in order to stay [home]. We only have wealthy students, everyone could pay. Yet, it could come out; therefore only 10 students did not go to cotton harvest. Others went by their own cars, bought cotton from the locals and had fun playing cards. All our students "fulfilled" the norm, buying cotton from local residents at a price of 250 sums per kg. "* - A college teacher from Tashkent said.

Some schools asked parents to buy additional food for the students, picking cotton. A college student from Angren observed,

*"In the middle of the season, teachers went to students' houses and asked their parents to buy food so that their children in the fields could eat normally. For the first time in many years college students from Tashkent were sent to pick cotton. Some 300 students and 18 teachers from the Tashkent College of Communications were taken to the cotton fields in Jizzakh region. The college was closed from September 18 to October 20, but the studies began only in November. About 100 college students did not go, having paid 300,000 sums. Even those exempt from going to cotton fields due to illness, paid 150,000 sums." -* Teacher, Tashkent College of Communications.

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<sup>6</sup> UZINFORM, "Победители очередного пятидневного сбора урожая," 8 October 2012, available at [http://www.aloqada.com/News/2012/10/08/pobediteli\\_ocherednogo\\_pyatidnevnogo\\_sbor\\_urozhaya](http://www.aloqada.com/News/2012/10/08/pobediteli_ocherednogo_pyatidnevnogo_sbor_urozhaya), last accessed 8 April 2013.

Few signs of the harvest appeared in colleges, lycuems and universities. Administrators refrained from placing signs reading "All gone for cotton," which were a common sight during previous harvests. A bus driver, who took students to the fields, was ordered to remove from the bus window a sign reading "Cotton-2012". An officer of the cotton staff under the khokimiyat said, *"Correspondents, who walk around, make sure to photograph this sign."*

A college teacher observed, *"This year in order to avoid refusals, the authorities morally prepared parents for a cotton campaign."* Starting on September 2, college administration and khokimiyat representatives held meetings with parents and explained that the cotton harvest is the "duty to the country".

When persuasion did not work, they turned to threats. Parents who tried to protest were asked to write "explanatory notes" to justify their refusal to send children to cotton. Government authorities told parents that their "explanatory notes" would be sent to their places of work, so that their superiors could consider their unpatriotic position. Another other common threat was to expel the student. During the 2012 harvest, although no cases of expulsion of students for not picking cotton were reported, parents and students alike reported that they feared such reprisal and therefore preferred not to argue with the authorities. Psychological pressure on students and parents is so high that no mass refusals to go to cotton fields were observed.

Mandatory participation of every citizen in the cotton campaign is deeply rooted in people's minds, and is supported by the confidence that it is impossible to assert one's rights.

*"I want to study hard and become a doctor. I went to pick cotton because there was no other choice. I wear glasses, my eyesight is "-4". My eyes hurt very much when I have to bend too often. Despite that, I was not exempt from the cotton campaign. I addressed the medical commission twice, but they rejected."* - 2nd year State University student, Andijan.

The forced labor cotton harvest system affects the learning process and education level of the next generation, a strikingly clear impact of the 2012 harvest in particular. High school and university students had no access to education during the harvest. The school year in colleges and lyceums started in November. Yet, the time taken to pick cotton is not reflected in the formal documentation. Teachers are required to leave false documentation of subjects covered that were not actually covered, and to assess the students on them. Often, grades depend on how well students picked cotton.

In this context, the story of a 20-year-old man, working as a mardikor (day laborer) at the Tashkent market, is noteworthy. *"I graduated from an accounting college. In fact, we did not study and do not know anything. In autumn, we were sent to pick cotton, in spring to its weeding, besides that to constant "subbotniks" [obligatory participation in public works]. Instead of studying, we swept streets and planted trees."*

The college and lyceum students were required to fulfil daily quotas of cotton. Penalties for poor work included threats of expulsion and also physical and verbal abuses. Even beatings were commonplace.

Teachers beat boys - college students under 18 years. According to a student from Samarkand, the boys, who failed to fulfil their quotas had to get up earlier than others and jog around the field. *"If someone did not come to the fields, the teacher came home and scolded them. The quota was 60 kg, then 50 and 25kg at the end. The director of the college is bad. He beat two boys, hit them several times in the face."* - A college student from Samarkand region.

Parents who visited their children in the cotton fields often tried to take them home, but could do so only after paying the teacher for the remaining days. To go home, one needed to pay 15.000 sums per day, a college student from Tashkent said.

*"We were taken to fields far away from the big roads. Only adult pickers worked near the roads. One had to let others know when noticing human rights defenders or foreigners making photos in the fields. We were also supposed to tell that we worked out of own goodwill. Those, who could not fulfill the quota, had to pick cotton until night or buy it from the locals. They even refused to give food to those, who didn't fulfill the quota. The teacher hit one of our fellow students in the face, his nose was bleeding and his head ached for a long time. Then his father came and took him home."* College student, Samarkand

To deter students from leaving, police guarded the roads to the cotton fields. The mother of a college student in Samarkand explained, *"I paid a teacher 170,000 sums in order to take my daughter back home. On the way we were stopped by police. They were guarding the exit from the village. I told them I am taking my daughter for a few days and will bring her back. The policemen saw the mattress and belongings and forced us to go back and leave her things."*

At the height of the cotton campaign, on October 6, the death of 19-year-old Navruz Muysinov, became known, which raises many questions. Radio Ozodlik reported that the cotton picker decided to return home early and was stopped by police on his way. According to the Ozodlik's source, an alleged eyewitness of the incident, the young man and a police officer had a quarrel. Navruz was beaten. After that, the police took him to the hospital, where he died. The results of the investigation into the cause of death of the young man remain unknown.

Each year, Uzbek human rights activists report deaths in the cotton fields. In 2012, they reported seven deaths - the highest number in any years, including several college students. In addition to Navruz, among the additional tragic deaths were Igor Yachkevskiy, 55-year old resident of Tashkent city, who died of a heart attack while picking cotton in Okkurgon district, Tashkent region on September 17; Aziz Bakhtiyorov, 18, a second year student of Jizzakh Arts College, who died of heart attack in the cotton fields on September 30; and Umid, a third year student of the Bukhara Engineering Institute of High Technologies, who was hit by tractor on his way from the field after dark on October 22.

The authorities never properly investigated these cases and did not disclose any information concerning suspicious deaths during the cotton campaign.

Living conditions were often so severe that parents preferred to "buy their children out". However, "buyout" was not always possible. *"Our college has 700 students"*, said D., 16 years old, from Angren. *"College was closed and all were sent to cotton on September 8. At first I refused to go, but then the*

*district policeman and the college director came to see my parents. On September 10, my father took me to the field himself."*

*"Those, willing to pay 300.000 sums, could stay. But if everybody pays, nobody will go to the fields. Therefore, they did not take money from everybody. My father was willing to pay, but was told that I would have to go. He gave me 100.000 sums as pocket money, came to see me twice. In the end the costs were the same. On the top of that, I suffered in the field."*

Even though mass mobilization of students has taken place for many years, in many cases accommodation for cotton pickers and their living conditions are still absolutely unacceptable. *"We lived in the cattle yard,"* says a student of the Samarkand Institute, *"In winter they keep sheep there. Before our arrival they whitewashed the walls and fixed the door. We, 40 boys, were accommodated in this place. Girls settled among local residents."* *"There are no conditions",* said a college student from Angren. *"Imagine, 250 people are waking up in the morning, all of them need to wash, whereas there are only five wash bowls. It was impossible to bath, so we had to pay local people to do so at their houses. "*

### ***C. Intensified forced labor of adults***

During the 2012 cotton harvest, the government shifted a significant share of the burden of the cotton harvest to citizens over the age of 18, by forcing greater numbers of university students, government employees – including teachers, doctors and nurses, private sector businessmen, transportation drivers, and low-income residents to contribute to the harvest, under threats to their livelihoods.

#### ***1. University students***

*"Today, students of the history faculty of the Ferghana State University actively help the farmers in the cotton fields of "Kizitepa" area in Altirik district of Ferghana region. By now, they have picked more than 120 tons of raw cotton."* – reported by Uzinform, Fergana region, October 9

*"More than 5.000 tons of cotton over a labor semester was picked by students of the Namangan University, working in the "Gulbog", "Amir Temur", "Istiklol" farms in Mingbulak district of Namangan region. Many of them went over the quota and set up working records,"* - reported by Uzinform on October 21, 2012.

According to our records this year more university students were involved in cotton harvesting than in previous years. Last year, a few universities have been sent to the cotton harvest, but this year it seemed that almost all the universities had to send their students. First time for in many years many colleges from Tashkent sent their students to pick cotton.

The school year for students at universities across the country started off with the cotton harvest. Participation of university students in the cotton campaign is obligatory -- refusal to participate may result in expulsion from the university. Students were told in the form of an ultimatum, *"Those who do not go to the cotton will be expelled."* None of the surveyed students and parents doubted that this would be the case.

The state system of forced labor in the cotton harvest requires a harsh reaction from university management to students' refusals to go to the fields. Otherwise, next year the number of students, refusing to go may increase. *"Last year, the students, who did not go to cotton harvest, could not pass the winter session exams. Teachers did not give them grades. Who needs such problems in studies? It's better to go to the cotton harvest,"* explained a student of Andijan State University.

A student of the Tashkent Institute of Irrigation and Reclamation noted, *"We participate in the cotton harvest every year, because agriculture is our specialization. They call it an "internship." In reality, we just pick cotton. Instead of gaining practical knowledge and conducting experiments in the fields, we are being used as cotton pickers."*

Scientific activity is not accepted as a reason to be exempted from field work. Masters students were also sent to pick cotton. *"First and second year Masters students were sent to pick cotton from September 20 to October 23,"* reported a Masters student of the Tashkent University of National Economy. *"We were told not to make photos with mobile phones. We were supposed to report to the headquarters when seeing someone, making photos. They were afraid of foreign correspondents."*

Exemption from cotton harvest could be bought. One could hire mardikors among local people, who would pick cotton. Many wealthy students from Tashkent universities did so.

The following is an extract from a letter by a Masters student of the Uzbek State University of World Languages:

*"From September 3, we are in the cotton fields of "Navbahor" farm in Pakhtakor district of Jizzakh region. Our living conditions are miserable. We have no beds, no normal food and no potable water. In each of the rooms of the local kindergarten, adapted in haste, 20 cotton pickers stay. Very few have folding beds. Most of us sleep on the dirty and cold floor. We have to wake up at 5:00 am. It's very cold at this hour. We quickly drink boiled water and eat "what God sends", and then have to rush to the field. We work until 7:00 pm. We must pick at least 50 kg of cotton a day. Our guards threaten us with expulsion from the university if we fail to fulfill the norm."*

## **2. Government employees: including teachers, doctors, nurses and military servicemen**

*"On the initiative of the Ferghana region khokimiyat, a group of medical workers actively assisting in the cotton harvest were given valuable gifts, credentials and premiums worth over 120 million sums." - Fergana region, on October 19. Uzinform.*

This state media outlet's vague statement reflects an increasingly worrisome trend. In recent years, the Uzbek government has coercively mobilized citizens to conduct hard labor more frequently without providing any additional payment. This phenomenon is widespread, systematic, and a violation of the government's national and international commitments concerning forced labor. Increasingly, the state-sponsored forced labor is not limited to the cotton harvest. By means of propaganda – phrases such as "subbotnik", "khashar", "voluntary



help to villagers" are common refrains – the government forces citizens to perform heavy unskilled work, often unrelated to their profession.

Students sweep streets and help in the construction. Teachers visit houses and collect payments for gas and electricity. Lyceum teachers go to Internet cafes to “protect” children from extremism and the harmful influence of "enemy websites". Doctors clean streets and plant trees. This state-sponsored, coercive mobilization of citizens for "community work" reaches its climax during the cotton campaign.

In autumn 2012, the government-orchestrated demographic shift of the cotton harvest burden to older children and adults resulted in an additional effort by the authorities to mobilize people who, unlike schoolchildren, are more likely to disobey unless the stakes are high enough. This "cotton burden" applied to all employees of the state and private sector, the unemployed, and low-income mahalla residents. All of them had to pick cotton under threats of dismissal, non-payment of wages or the cutting off of social benefits.

This year, the government escalated pressure on the adult population to such a degree that some adults began to express regret that more younger schoolchildren were not sent to pick the cotton.

According to our data, in autumn 2012 at least one in every six employee of all public organizations picked cotton. The Uzbek government mobilized military personnel and teachers of colleges and universities in the greatest numbers.

About 60% of teachers in rural schools were sent to work in the fields. Mass mobilization of public sector employees started on September 3. Each organization was obliged to send a certain number of employees. The administration of each organization planned out 2-3-week shifts of employees to pick cotton. Upon return of one group from the field, the administration sent a second group until the organization fulfilled the quota, assigned by the regional authorities.

Depending on the region, the daily cotton quota for adults amounted to 60 to 80 kg. Working conditions were harsh. The working day started at 4:30am and lasted for 10-12 hours. If a cotton-picker failed to pick the set quota, he or she had to buy the missing kilograms from local residents – typically day laborers ("mardikors").

Mardikors also picked cotton on their own initiative, but they were employed not by farms but by government employees. Hiring a cotton picker presented a lower cost alternative to picking cotton for most government employees. Generally, people paid mardikors \$100-150 for two weeks of work.

*"Many people sent mardikors in their own place. It is easier to pay mardikors. Costs are higher if you go yourself. If one gets sick, a lot of money will have to be paid for medicine. On top of it, one has to live away from his family and children."* - A mahalla resident from Tashkent region explained.

As a rule, government organizations hired mardikors to fulfill a double quota, as each was hired in place of two people. During the cotton season, many unemployed people could have done such work as cotton pickers, but did not. A young man from Tashkent, who was hired to pick cotton instead of two people explained why:

*"I had to collect at least 120 kg a day. It was unbearably hard work, and food was very poor. If I worked in a different place that hard, I could have earned twice as much. Besides, I got sick and had to pay a lot for medicine."*

*"I was saving money and in the end earned 600,000 sums during 15 days. Out of those, I spent 100,000 sums on food and accommodation. I brought 500,000 sums home. But I caught cold in the field and had to buy medicine for 150,000 sums,"* reported another young man, who picked cotton 10-11 hours each day in place of two nurses.

The daily quota was obligatory. Therefore one had to buy missing kilograms from local residents at twice the state price. This way, local residents could earn extra money by selling cotton to pickers. When a government employee failed to fulfill the quota and did not have the means to buy the missing cotton, money was deducted from his or her salary at a higher price.

Some large government organizations also collected money from employees who did not go to the field due to serious illness or because they had small children. This money was used to pay for missing kilograms. Employees of smaller organizations could not rely on such "solidarity." They had to pay the difference between the picked and missing kilograms.

### **3. Private Sector: Domestic and Multinational Companies**

For the 2012 cotton harvest, the Uzbek government also mobilized private sector resources. Following orders from district administrative offices, mahalla committees imposed a "tribute" on private trade and service businesses.

In July, local government authorities instructed private businesses to contribute to the cotton campaign by providing labor, financial or in-kind support. According to the official version, the call was made on a voluntary basis, but in reality it was accompanied by threats to tax all businesses that failed to provide support.

*A 29-year-old resident of Angren, working as a waitress in a private cafe, said in an interview, "On September 16, the chairman of the mahalla committee came and asked our director to send a few people to pick cotton. Our director offered to pay 300,000 sums for each of them, but the chairman said that a few people would still have to go to the cotton fields and work for 10 days. I was forced to pick cotton for two weeks. There was no alternative as I could be fired. Those colleagues, for whom our director paid 300,000 sums, had to work the money off."*

The banking sector, under strict control by the government, also was severely impacted. Throughout the cotton harvest, the banks had to divert all cash to transactions supporting the harvest. Depositors could not withdraw their money. Public and private employees in various sectors did not receive their salary. Banks reserved cash only for pensions and child-care allowances. The Uzbek Central Bank directed cash resources

to regional bank branches for the cotton harvest.<sup>7</sup> Furthermore, banks limited access to cash; as a bank employee explained, “We have been offered to choose between receiving payment on our plastic cards and waiting for the end of cotton harvesting when the bank will have cash.”

#### **4. Mahalla committee members**

*"In the "Nikhol" farm in Andijan region, women's groups pick on average 50-60 kilograms of "white gold" a day. 1,327 record-setting women are working in these groups, most of them mahalla counselors and members of self-government."* – reported by Uzinform, Andijan region, October

Mahalla committees (citizen self-government bodies) are traditionally involved in each cotton harvest. They represent the lowest level of state control. The mahalla committees are responsible for distributing government welfare benefits to low-income citizens. During the cotton harvest, the mahalla committees' task is to mobilize unemployed people, most of them social welfare beneficiaries, to work in the cotton fields. The khokimiyats order the mahalla committees to organize residents and to arrange their departure to the cotton fields.

Although often described as voluntary labor, their participation is actually forced, based as it is on coercion, including threats to their livelihood. Sadly, this means that many mahalla committees denied social welfare benefits – including stipends for the elderly and young mothers - to low-income citizens who refused to pick cotton. In mid-September, human rights defender Uktam Pardaev reported that the mahalla committees in Jizzakh area cut child benefits to mothers, who did not want to pick cotton. As a result of his reporting, Pardaev was arrested on September 30 for 15 days on charges of hooliganism. Another resident of Jizzakh region reported that the local administration cut off the electricity in the houses of women, who refused to pick cotton.

*"Mahalla committees, local police, women's committees and an electrician came to cut the electricity off in retaliation to women, who refused to go to the fields. They send everybody, who receives social benefits, to the cotton fields. If they refuse to go, they come and cut off the electricity."* - Jasurbek, resident of Pakhtakor district in Jizzakh region.

Mahalla residents who participate are typically low-income citizens seeking additional income, and nearly all women, because many of the men in rural areas have migrated to Russia or elsewhere in search of employment. In 2012, as the government intensified its mobilization of adult labor for the cotton harvest, the message among mahalla communities was that no healthy adult could be exempt from picking cotton.

*"Those, who needed money from the mahalla had to go to the cotton harvest,"* explained one mahalla committee member. Starting in early September, mahalla committee leaders visited homes and informed residents that social welfare beneficiaries would have to pick cotton.

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<sup>7</sup> “Cotton harvesting leaves Uzbek banks without cash,” *UzNews*, 8 September 2012, available at [http://www.uznews.net/news\\_single.php?lng=en&cid=2&nid=20732](http://www.uznews.net/news_single.php?lng=en&cid=2&nid=20732), last accessed 12 April 2013.

*"If they fail to pick their own cotton, why plant so much? After all, there is no benefit in it for me. We are forced to collect 150 kg. If you want to buy cotton in the market, it costs up to 2.000 sums. Let it be picked by those, who profit. Why us?"* - Young woman, resident of Andijan mahalla complained in her interview.

A member of the mahalla committee from Tashkent said, they were ordered to send 80 people to the cotton harvest. If there were not enough mahalla residents, they were supposed to hire people "from outside."

During the 2012 harvest, mahalla committees arranged for people to travel to the fields during the weekends. People often had to stay in the field for days due to a lack of transport." *People were told they are being taken to the fields only for one day, but there were no buses back at night. Those, who had money, went home on their own. Others had to stay with the villagers, pay for their bed, and keep picking cotton.*"

Citizens, including those mobilized by mahalla committees, who picked cotton for one or only a few days received no payment. A mahalla chairman claimed that the money earned by pickers barely covered food and transportation costs.

Women with small children could send someone in their place or pay the mahalla committee to hire a cotton picker. Fear of losing welfare benefits is a powerful lever of influence. *"Who would dare to argue with them? If someone demands his rights, they will cut child benefits. Mahalla employees find thousands of ways of cutting benefits. They say that the limit is over, or someone is working in their household so they are not eligible anymore or that there is no money for them."*

Apart from cutting off social welfare payments, the authorities also used other means of coercing citizens, particularly those with low-incomes, to participate in the cotton harvest. In some parts of the country, anyone who picked more than 100 kg of cotton a day received a bottle of cottonseed oil. In such areas, women went to the fields together with relatives and often with children in order to collect 100 kg and receive the free oil.

More cynically, people on the mahalla surveillance lists for "participation in religious extremist groups," had to go to the cotton harvest because they needed a positive status report from the mahalla committee to avoid being jailed.

A young man from a poor family who washed cars to earn money reported that he was suspected of being too religious and therefore put on the police list of potential "religious extremists." The mahalla committee "bailed him out", on the condition that he go pick cotton. The mahalla chairman and the local policeman took care to remind him of his need for a positive report to stay out of jail.

Employees of mahalla committees themselves were also involved in the cotton harvest. Officially, their contribution was called "voluntary", but in reality they were forced to work under threat of having their wages cut.

#### ***D. Unique State-Sponsored forced labor: the role of the government in the cotton sector of Uzbekistan***

##### ***1. Cotton farmers in the government-controlled cotton industry***

*“If we ourselves could sell it on the world market at a reasonable price it would be a profitable plant. But all the profit goes to the government and we are left with a loss. Moreover, it absorbs all the power of the earth and fills it up with chemicals. We lose. For instance, we have grown 185 tons of wheat in arable farming. We overdid the quota. Wheat from 10 hectares of land was left for us. We had some profit as well. If we planted on all the lands wheat instead of cotton, we could have a huge profit. And if we planted fruits and vegetables, that would be even better. Crops and cotton are politics. We are obliged to grow it.” - Holdor, Uzbek farmer<sup>8</sup>*

In 2012, 3.35 million tons of cotton was harvested, according to President Karimov.<sup>9</sup> The government of Uzbekistan takes in an estimated USD \$1 billion each year from cotton sales, primarily to international markets. Cotton income in Uzbekistan benefits the political elite and leaves farmers plagued with debt and, increasingly, migrating to sustain their families.

This year, the government of Uzbekistan continued to subjugate farmers, forcing them to work the government’s land and provide this source of income, which is under the complete control of the authorities. The government’s mass mobilization of forced labor to harvest cotton maximizes the margin of return through the use of essentially free labor.

*“If we failed, our land would be confiscated. In the end, we had to cover the shortage with money anyway. As I mentioned, if we fail to fulfill the quota our land will be handed over to others. This is in addition to constant scolding, threatening with detention. They are able even to put you in jail. Prosecutors are present in the fields from the beginning to the end of the harvest. They can miss the criminal but they are granted full authority over farmers.”<sup>10</sup> - Furqar, Uzbek farmer, November 2012*

Uzbek farmers do not own their land. The government owns the land and contracts with farmers to deliver cotton and wheat. A farmer who does not deliver the assigned quota of cotton risks losing his livelihood, his land.

Uzbekistan has slightly more land area than California and Sweden and slightly less than Iraq, but only 10% of Uzbekistan’s land is arable. The “dekhan” (small family farm) farm was the traditional organization of Uzbek agriculture. Under the Soviet Union, dekhan farms were merged and converted into state-owned and operated “kolkhoz” (collective farms) and “sovhozy” (state farms). Following independence, in 1990 Uzbekistan had approximately 940 kolkhozy and 1,108 sovhozy. During the first decade of independence, the government passed at least 55 laws, decrees and resolutions. With one of the first so-called “privatization” reforms, the government abolished state farms in order to remove the burden of paying the large state agricultural workforce.<sup>11</sup> They introduced leasing, made farming families responsible for field work, and

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<sup>8</sup> Farmer, interviewed by Uzbek-German Forum for Human Rights, 22 November 2012, Tashkent, Urta Chirchiq District.

<sup>9</sup> “Uzbekistan harvests 3.35mn tons of cotton this season” *Fibre2Fashion*, 23 October 2012, available at [http://www.fibre2fashion.com/news/textile-news/newsdetails.aspx?news\\_id=117221](http://www.fibre2fashion.com/news/textile-news/newsdetails.aspx?news_id=117221), last accessed 4 March 2013.

<sup>10</sup> Farmer, interviewed by Uzbek-German Forum for Human Rights, 26 November 2012, Tashkent region, Buka District.

<sup>11</sup> Kandiyoti, Deniz, “Agrarian Reform, Gender and Land Rights in Uzbekistan,” United Nations Research Institute for Social Development, Social Policy and Development Programme Paper Number 11, June 2002, page 11.

established the administrative role of the kolkhoz. The kolkhoz administration thereby contracted households for farming to meet the state procurement order. Subsequent regulations placed restrictions on small-holding farms and resulted in a consolidation of land and concentration of decision-making in the regional and district-level government authorities. A 1998 law established a farmer's certification requirement, outwardly intended to ensure adequate agricultural knowledge; in practice, the law transferred more control over land rights and usage to the kolkhoz administration and district-level hokims.<sup>12</sup> In 2000, regional hokims gained control over input markets.<sup>13</sup> In 2008, a law ostensibly aimed at increasing efficiencies of scale resulted in the consolidation of farms into larger plots under the control of regional hokims.<sup>14</sup>

*"Nowadays they take their lands away. Or they divide the land into small pieces and give it away to others. By law farmers should be fined up to 25 percent of the outstanding cotton they couldn't fulfill. But they are even going to the extent when they beat and insult farmers and force them to write resignations. That way they are forcing people to give up their lands. Some farmers' lands are divided into small pieces and left it to them. For example, those who have 140-150 hectares only get 30-40 or 60 hectares and the rest is divided to others. This year in Shahrizabz more than twenty farmers' land was reduced."* - Rahmonberdi, Uzbek farmer, November 2012

Uzbek farmers sign agreements with the government that establish a lease of the land for 40-60 years on average, specify the percentage of land on which cotton is to be grown, and define the annual cotton production quota. The regional hokim assigns land to farmers and establishes quotas for each farm, according to expected yield assessments conducted by the governmental agricultural agency *Uzpxatasanoat*. For the 2012 harvest, the percentage of each farm's land dedicated to cotton tended to be around 50% and varied across a range between one-third of the farm and two-thirds.<sup>15</sup> Many contracts also required another percentage of the farm land to be dedicated to wheat production, for which the harvest is mechanized and typically completed in May. On the remainder of the land, the farmer can grow crops of his choosing, although in some regions the farmer reportedly needs permission from the regional hokim to grow crops other than cotton and wheat.

The government of Uzbekistan often claims that farmers are free to choose the crops that they plant. For example, during a hearing on Uzbekistan's Generalized System of Preferences (GSP) for trade with the United States, the Ambassador of Uzbekistan to the U.S. responded to a U.S. official's question from on whether Uzbek farmers are free to plant the crops they choose, stating, *"My two brothers are also farmers, and they want to sell what they want. They're free."*<sup>16</sup>

Government documents tell a different story for farmers who are not related to senior government officials. For example, in the letter below, the Djizzakh Region Prosecutor's Office confirms the opening of a criminal

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<sup>12</sup> *Ibid.*

<sup>13</sup> Resident of Bukhara 2, anonymous for personal security. Personal Interview by Matthew Fischer-Daly. 26 September 2012.

<sup>14</sup> *Ibid.*

<sup>15</sup> Personal interviews with farmers, anonymous for personal security, by Uzbek-German Forum for Human Rights, November 2012.

<sup>16</sup> Executive Office of the President, Office of the U.S. Trade Representative, *Public Hearing for U.S. Generalized System of Preferences (GSP): 2011 Annual Review of Country Practices*, January 25, 2012, Washington DC.

case concerning farmers who planted vegetables instead of cotton and requests security support from the District Head of the Police.

Translation: See Annex 1 for original text

The Republic Of Uzbekistan  
District  
Prosecutor's Office  
Djizzakh Region Prosecutor's Office

The Head of the Police Zarbdor  
To: Major A. Begmatov

Criminal case opened by Djizzakh Region Prosecutor's Office against authorities of Rural Water Management and Land Resources and State Land Survey is being investigated.

During investigation, it has been identified that farmers who have been working in Zarbdor district were growing vegetables and other types of plants in the lands spared for cotton plants and was taken over by government to cover the damage made by these farmers.

Based on the information provided above, we ask you to provide with security measures to prevent those vegetables and other farming plants detailed on the attached list owned or taken by the heads of farms or workers.

Enclosed: 8 pages of list

Djizzakh Region Prosecutor's Office  
The head of Criminal Investigation Department  
Junior Justice Advisor

H. H Goziev

The khokimiyat delivers quotas to farmers each year after receiving its own orders from the central government. Farmers have to meet their state-ordered cotton production quotas in order to retain their use of the land, and therefore their livelihood. If a farmer fails to produce his assigned quota of cotton production, the regional hokim will "replace" him, *i.e.* assign the land to another farmer. Although it is illegal to sell cotton to anyone but the government-owned purchasing companies, farmers who surpass their quotas reportedly sell cotton to farmers who fail to meet theirs. During the harvest, regional hokims oversee production rates closely. In the Jizzak and surrounding regions, regional hokims are known to convene daily meetings to receive reports from all the farmers in his region.<sup>17</sup> At these meetings, the regional hokims verbally and physically abuse farmers who are under-producing.<sup>18</sup> The hokims' behavior naturally varies

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<sup>17</sup> Farmer, Jizzak region, anonymous for personal safety. Personal Interview by Matthew Fischer-Daly, 25 September 2012.

<sup>18</sup> *Id.*

according to their respective demeanors, and they are reportedly kinder to women farmers.<sup>19</sup> In 2012, farmers strove to fulfill quotas of 30 centners (3,000kg) on average, and by any means necessary.

*“If we fail to fulfill the quota, the farm will be transferred to another owner. Now there are various tricks used in statistics. There appeared something like “precedence technology”. It was said to be introduced by the hokim of Bukhara, Samoydin Husanov, to please the president. According to his plan, he makes all the farmers hand over all the cotton as if it was the yield of one single district, which makes that district the first to fulfill the quota. As a result, both hokim and the district would be awarded by the president with appreciation medal and he would become a national hero. Later, all the cotton is distributed back to farmers as if nothing happened. Our locals liked the idea as well. They made out of me a leader farmer, they published an article about me in the newspaper Tashpravda. The trick was that all the cotton of the farmers was handed over as only mine, as if I overdid the quota up to 110 %. Later, we were picking the cotton until November and to cover up the shortage just bought some more cotton.” - Holdor, Uzbek Farmer, November 2012*

Even if a farmer fulfills the cotton production quota 100%, he or she breaks even at best, and in many cases winds up indebted. “Even when I delivered 118%, I came out with 2 million [sum] of loss,” reported a farmer in Shahrisabz district. Costs of production, a low purchase price fixed by the central government, and inadequate financing drive farmers into debt or migration.

Inputs for growing cotton are provided by organizations with various official levels of state control: Uzhimprom for agrochemicals, Uzekenergo for fuel, Uzneftprodukt for petrol, Uzagromashservis for mechanical equipment, and Agrobank, formerly known as Paxtabank (paxta means cotton in Uzbek) for credit. As an example of the minimum inputs needed, farmers estimated that growing cotton on one hectare of land requires at least 230 kilogram of fuel, 500-600 kg of fertilizers, and 200 kg of defoliant. In practice, the banks are often late providing credit to farmers, who therefore wind up having to cover significant out-of-pocket expenses in order to obtain inputs in time to begin the production process.<sup>20</sup> The only option is to leave, and rural residents increasingly join the estimated 27% of the population of Uzbekistan that has emigrated, primarily to Russia and Kazakhstan.<sup>21</sup>

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<sup>19</sup> *Id.*

<sup>20</sup> Resident of Bukhara 2, anonymous for personal security. Personal Interview by Matthew Fischer-Daly. 26 September 2012.

<sup>21</sup> International Organization for Migration, “Kazakhstan: Overview,” available at: <http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/south-eastern-europe-eastern-eur/kazakhstan.html>, last accessed 5 March 2013.



ПАХТА ХОМ-АШЁСИННИНГ ХАРИД НАРХЛАРИ (O`z DSt 615: 1994 )

1 тоннага сўмларда

Пахта хом-ашёсининг саноат навлари	Пахта хом-ашёсининг синфлари	Пахта толасининг типлари/кодлари								
		Узун толали пахта навлари					Урта толали пахта навлари			
		1a	1б	1	2	3	4	5	6	
		43	42	41	40	39-38	37-36	35	34	33
I	1	1 428 720	1 306 010	1 244 650	1 095 650	990 460	888 530	876 520	865 120	854 600
	2	1 392 160	1 272 580	1 212 800	1 067 600	965 110	865 780	854 080	842 980	832 730
	3	1 113 990	1 018 310	970 470	854 280	772 270	692 790	683 430	674 540	666 340
II	1	1 305 960	1 193 790	1 137 710	1 001 510	905 360	812 180	<b>801 204</b>	790 790	781 170
	2	1 197 570	1 094 710	1 043 280	918 380	830 220	744 770	734 700	725 150	716 340
	3	1 100 930	1 006 370	959 090	844 270	763 220	684 670	675 420	666 640	658 530
III	1	1 144 020	1 045 760	996 630	877 320	793 100	711 470	701 860	692 730	684 310
	2	1 017 350	929 970	886 280	780 170	705 280	632 690	624 140	616 020	608 530
	3	719 590	657 780	626 880	551 830	498 850	447 510	441 460	435 720	430 430
IV	1	851 490	778 350	741 790	652 980	590 300	529 540	522 390	515 590	509 330
	2	660 820	604 060	575 680	506 760	458 110	410 960	405 410	400 140	395 270
	3	505 410	462 000	440 290	387 580	350 380	314 310	310 070	306 040	302 310
V	3	353 920	323 520	308 320	271 410	245 350	220 100	217 130	214 300	211 700

The government is the sole legal buyer of cotton, and it buys cotton from farmers at a fixed price. Farmers are legally obligated to deliver the cotton they harvest to their local gin, one of the 127 state-controlled gins of the association Uzkhlompokrom or the 18 gins of the Ministry of Agriculture and Water Resources. Both entities have the status of ministries and purchase raw cotton from farmers for less than one third of its value, often claiming high “trash” or water content.<sup>22</sup> In an effort to characterize Uzkhlompokrom as quasi-private, the state owns 51% of the company’s shares; however, the shareholders of the remaining 49% are completely unknown to the public. In 2012, farmers reported average prices for cotton at:

- 885,000 sums per ton, 1st grade, 1<sup>st</sup> class.
- 862,000 sums per ton, 1st grade, 2<sup>nd</sup> class
- 800,000 sums per ton, 2<sup>nd</sup> grade, 2<sup>nd</sup> class
- 700,000 sums, 3rd class.

By comparison, cotton farmers in neighboring Kazakhstan receive double the rate for their product.

<sup>22</sup> Environmental Justice Foundation and Uzbek-German Forum for Human Rights, *White Gold: Uzbekistan, A Slave Nation for Our Cotton?* 2010. 12 Uzbek human rights activists, names anonymous for personal safety. Personal Interviews by Matthew Fischer-Daly, 23 September – 6 October, 2012. Uzbek-German Forum for Human Rights, “Cotton – it’s not a plant, it’s politics” *The system of forced labour in Uzbekistan’s cotton sector,* Berlin, 2012, available at <http://uzbekgermanforum.org/wp-content/uploads/2012/12/cotton-its-not-a-plant-its-politics-online.pdf>, last accessed 4 March 2013.

After raw cotton is ginned, one of three state trading companies, Uzprommashimpeks, Uzmarkazimpeks, and Uzinterimpeks then export 75% of the cotton lint, and the Uzbeklegprom – the government-controlled ‘Association of State Cotton Enterprises - sells the remaining 25% of the cotton lint on the domestic market.<sup>23</sup>

The government’s failure to implement meaningful agricultural reform has put rural Uzbekistan on a course of reverse socio-economic development. The government uses farmers as peasants on its plantations.<sup>24</sup> The artificially low prices paid by the government that farmers must accept have combined with consolidation of land ownership to drive farmers with agricultural knowledge and capacity out. Farmers are unable to invest to improve farms, much less hire voluntary labor.<sup>25</sup> As a farmer reported to UGF in 2012, “It doesn’t matter if the unemployed or mardikors pick; the issue is the need to pay. It’s not profitable.” Farmers have recognized the failure of the agricultural system for years. Uzbek farmers live a peasant life; they are forced to labor on larger, consolidated farms and eke out their family’s survival with small vegetable plots.

Unemployment and underemployment are very high throughout Uzbekistan but particularly so in rural areas, where over 62% of the population lives.<sup>26</sup> Increasingly, farmers and rural residents are emigrating, joining the estimated 3-5 million Uzbek citizens (10%-17% of total population) working primarily in Kazakhstan and Russia and sending remittances that amount to as much as 35% of the total gross domestic product.<sup>27</sup> In the most extreme cases, the system has even cost the lives of some farmers; in recent years, a number of farmers in Samarkand have committed suicide, reportedly from depression and frustration with the system.<sup>28</sup> After his release from prison for failing to meet his cotton quota and prior to hanging himself, longtime farmer Ismoil Turanazarov wrote a suicide note explaining that he was unable to meet the cotton production quota.<sup>29</sup>

## 2. *Centralized chain of command and quota system*

Forced labor of over a million men, women and children in Uzbekistan’s cotton sector is uniquely state-sponsored and is underpinned by the state-controlled cotton production system. The government maintains a

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<sup>23</sup> Environmental Justice Foundation, *White Gold: The True Cost of Cotton- Uzbekistan, cotton and the crushing of a nation*. 2005, available at <http://ejfoundation.org/cotton/white-gold>, last accessed 19 December 2012. 12 Uzbek human rights activists, anonymous for personal safety. Personal Interviews by Matthew Fischer-Daly, 23 September – 6 October, 2012.

<sup>24</sup> Zanca, Russell, *Life in a Muslim Uzbek Village: Cotton Farming After Communism*, 2011, Wadsworth, Cengage Learning, pages 26-30.

<sup>25</sup> 12 Uzbek human rights activists, anonymous for personal safety. Personal Interviews by Matthew Fischer-Daly, 23 September – 6 October, 2012.

<sup>26</sup> “Uzbekistan: Economy” Broad College of Business, Michigan State University, available at <http://globaledege.msu.edu/countries/uzbekistan/economy>, last accessed 4 March 2013.

<sup>27</sup> See “Uzbek Leader Wakes Up to Mass Emigration,” *News Briefing Central Asia*, Institute for War and Peace Reporting, 25 January 2013, available at <http://iwpr.net/report-news/uzbek-leader-wakes-mass-emigration>, last accessed 4 March 2013.

<sup>28</sup> Resident of Bukhara 2, anonymous for personal security. Personal Interview by Matthew Fischer-Daly. 26 September 2012; Resident of Jizzak, name anonymous for personal safety. Personal Interview by Matthew Fischer-Daly, 25 September 2012; “Planned Inefficiency in Uzbek Cotton Sector,” *News Briefing Central Asia*, 30 June 2012, available at <http://iwpr.net/report-news/planned-inefficiency-uzbek-cotton-sector>, last accessed 19 December 2012.

<sup>29</sup> “Planned Inefficiency in Uzbek Cotton Sector,” *News Briefing Central Asia*, 30 June 2012, available at <http://iwpr.net/report-news/planned-inefficiency-uzbek-cotton-sector>, last accessed 19 December 2012.

clear chain of command to carry out the state cotton order from the prime minister to regional and district-level authorities and down to each individual hospital, school and business. Threats of punishment and intimidation by police ensure that individuals, government institutions and businesses contribute.

Each year, the Government of Uzbekistan establishes nationwide quotas (or order) for cotton production that are enforced by regional and district authorities (*hokims*). As has been described in reports from the US Embassy in Tashkent, the government of Uzbekistan is “clinging to a Soviet-era command economy for cotton,” where all decisions regarding economic development of the cotton sector are strictly controlled by President Karimov and his cabinet ministers.<sup>30</sup> In a 2009 report, the US Embassy in Tashkent described in detail how the command economy for cotton operates:

*“Uzbekistan’s Ministry of Agriculture and Water Resources (MOA), in consultation with regional advisors and local farm associations, mandates the amount of seed cotton to plant throughout the country. Each fall, local associations meet collectively to estimate the next season’s [sic] expected output and necessary inputs. District plans are submitted to the regional authorities, and regional plans are approved at the national level.”*<sup>31</sup>

Several government agencies – including the Ministry of Agriculture and Water Resources, the Ministry of the Economy, the Ministry of Finance, the Ministry for Foreign Economic Relations, and the Investments and Trade and the Association Uzpaxtasanoat – develop the national cotton production plan. It is then the prime minister, reporting directly to the president, who publicly produces the national plan for cotton production, including the national production target.<sup>32</sup> The prime minister then convenes the regional governors (*hokim*) and dictates the cotton production quotas for each region.<sup>33</sup> This number is then broken down by region, and district *hokims* (governors) are responsible for making sure that the delivery quota is filled, including the forced mobilization of farmers to meet a share of the Government imposed cotton quota.<sup>34</sup> The US embassy reported in 2008 that “virtually all farms in Uzbekistan . . . are still tied to the state order system,”<sup>35</sup> which means that all cotton is produced within the “state order system.” Through the 2012 cotton harvest, the system has not changed.

A clear chain of command ensures the mobilization of the cotton pickers, starting with the Prime Minister, down through the regional *hokims* to the district- and city-level *hokims* and directors of government agencies, and to the administrators of schools, hospitals, other government agencies and private businesses. With his

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<sup>30</sup> US Department of State, (Unclassified) Cable from US Embassy in Tashkent: *Uzbekistan’s Cotton Sector Still A Bastion of the Command Economy*, at para. 3. (November 3, 2009)

<sup>31</sup> *Id.* (unclassified)

<sup>32</sup> Uzbek human rights activists, names anonymous for personal safety. Personal Interviews by Matthew Fischer-Daly, 23 September – 6 October, 2012.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.* at para. 4. (unclassified)

<sup>35</sup> U.S. Department of State. (Unclassified) Cable from US Embassy in Tashkent: *Uzbekistan: Information on Forced Labour and Child Labour for Mandatory Congressional Reporting Requirements*, at para. 8. (June 6, 2008) (“While virtually all farms in Uzbekistan are now classified as private, they are still tied to the state order system. Farmers are required to both seed a certain amount of their land with cotton each year and produce a certain quantity for the state purchase. As adult labour is often scarce . . . farmers and provincial officials resort to conscripting students to fulfill their quota.”)

orders from the prime minister, the regional hokim convenes his deputies for each government service agency: education, health care, military, etc.<sup>36</sup> Through their schools, places of employment and “mahalla” committees (neighborhood associations), children and adults are forced to work in the cotton fields under threat of losing their educational opportunities, job, pay and social-welfare benefits.

In most districts, the district khokimiyat functions as the headquarters for the mobilization of children and adults to harvest cotton and fulfill the national production plan. The khokimiyat oversees relations between banks and farmers and the farmers’ fulfillment of their cotton quotas as well. It includes the staff of the khokimiyat, the district prosecutor, the district police, the director of the district departments of public services – education, health, *etc.*, and the directors of the agricultural input enterprises that have financial transactions with the farmers. The district hokim or deputy hokim convenes meetings prior to the start of the harvest to issue orders for the mobilization of people to pick cotton. The organizational structure varies somewhat across different regions of the country. In some regions, the regional hokim has deputies for each sector; in others the hokim has district-level mayors (hokims rayona); and another variation reported is district-level directors of public institutions, e.g. school district administrators. Throughout the harvest, the prime minister conducts regular teleconferences with the regional hokims to ensure progress towards fulfilling the state order for cotton.

After receiving its target for cotton picking, the director of each institution – school, hospital, military office, *etc.* – develops schedules and quotas for the staff. For example, in 2012 the principals of the schools of Jizzak region organized shifts of 10-14 days for groups of teachers to go to the fields and pick cotton and modified the educational program accordingly. At the start of the 2012 harvest, the Psychiatric Clinic of Angren planned to send 30% of all staff to pick cotton, and then raised the participation to 50% of all staff in order to meet the clinic’s quota.<sup>37</sup> Each individual is assigned a daily quota.

The individual quotas in 2012 ranged from 80 kilograms per day during peak harvest to 30 kg per day, the amount that pickers were told was the minimum to cover the cost of food and transportation. The increased burden on the residents of Tashkent, government employees and private sector employees to pick the state cotton order meant that many inexperienced people were sent to the cotton fields. Failure to meet quota is not an option.

Each province and region of Uzbekistan has an established infrastructure, from the regional hokim to police enforcement that monitors the cotton fields and penalties for refusing to participate that are better understood by the populace than the national laws. Any farmer or farm laborer who refuses to participate when called upon to grow or harvest cotton is punished by the state, including by the loss of employment; suspension, expulsion or other disciplinary action at school or work; loss of state welfare payments; fines; social ostracization, verbal abuse, and public humiliation; expulsion from farmland (loss of livelihood); and physical abuse. Truly indicating who is in charge of mobilization of people to harvest the cotton, one interviewee explained, “Farmers have no say whatsoever, not even one of them never once indicates what to do. Foremen

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<sup>36</sup> *Id.*

<sup>37</sup> Personal interviews, names anonymous for personal safety. Uzbek-German Forum for Human Rights, November 2012.

are deans.”<sup>38</sup> The directors of schools, hospitals and other government entities report directly to the hokim and face punishment, including dismissal from their post, for failing to deliver the state order of cotton. The directors therefore assign a foreman of each group sent to the cotton field to oversee the work and report at the end of the day to the khokimiyat. The khokimiyat headquarters then visits farms and groups of pickers who are underperforming to reinforce the pressure to meet the target.

During the 2012 cotton harvest, examples of the enforcement practices of the regional- and local-level authorities included:

- In Angren, Tashkent, parents of students attending the Angren Academic Lyceum presented the Prime Minister’s statement that no children were to be allowed to pick cotton, and the lyceum’s director, under orders of the regional authorities, told the parents, “in that case take your documents and go to another college.”<sup>39</sup>
- In Yangiyul city, Tashkent region, parents and students were obliged to sign permission slips to establish their ‘voluntary’ participation in the cotton harvest, or face problems for the student to obtain a diploma.
- In the Buka district, Tashkent the police and national security service SNB and prosecutor’s office visited school and college directors to ensure their support for mobilizing teachers and students to pick cotton.<sup>40</sup>
- In the Nizhnechirchiksky district of Tashkent region, students with illnesses region were denied medical exemptions.<sup>41</sup>
- Nurses from several regions reported that they were threatened with the loss of their jobs for refusing to participate. Nina Petrovna, a nurse at a children’s clinic in Tashkent region, was fired when she requested a medical exemption from the cotton harvest due to hand injuries.<sup>42</sup>
- Staff of medical clinics reported deductions from their salaries for not meeting their daily quotas.<sup>43</sup>
- Doctors in the Jizzak region and Tashkent city were informed that refusal to participate in the cotton harvest would cost them their jobs as well.<sup>44</sup>
- Students of Tashkent National University of Economics were threatened with expulsion. As one student commented, “We can get expelled with some kind of excuse. They threaten us with that.

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<sup>38</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 25 November 2012.

<sup>39</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 14 November 2012.

<sup>40</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 27 December 2012.

<sup>41</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 15 November 2012.

<sup>42</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 6 November 2012.

<sup>43</sup> Personal interview, name anonymous to protect personal safety, by Matthew Fischer-Daly, 30 September 2012.

<sup>44</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 31 October 2012 and 8 November 2012.

Of course it can be fixed with money, but isn't it better to pay the money to local pickers and fix it that way?"<sup>45</sup>

- Students of the Shayhontohur district were told, "if foreigners or human rights defenders come and ask or take photos let us know and tell them that you came voluntarily with your own initiative"<sup>46</sup>
- In the Chirchiq district, students were threatened with expulsion and beaten by school staff, as encouragement to meet their quotas.<sup>47</sup>
- Sulton, a student at the College of Food & Hospitality, received a bloody nose for failing to meet his daily quota.<sup>48</sup>
- Shoira, a young mother in the Sharhrisabz district, reported the impossible situation of either picking cotton or losing state social security benefits delivered through the mahalla committees.<sup>49</sup>

Similar practices reported throughout previous years indicate a common pattern. Examples include:

- In 2009, Prime Minister Shavkat Mirziyoyev stated in decree No. KR 03/1-732, "Khokims, prosecutors and departments of internal affairs of districts must take under control those farms where cotton has not been picked and organize the final cotton harvest. In those cases where farms have not complied with contractual obligations, a schedule will be made to levy damages from them. Under the law, their land lease will be revoked."<sup>50</sup>
- In 2009, the Angren city hokim (mayor) Makhmud Turgunbayev issued a decree for each school to send 30% of its teachers to pick cotton; the decree threatened dismissal for teachers who refused.<sup>51</sup>
- In 2011, the Ishtihon district hokim (mayor) ordered teachers of primary and high schools to pick both pick cotton and take the school children to the fields to pick cotton, to meet the district's annual production quota, and school directors were threatened with dismissal if they failed to follow the hokim's orders.<sup>52</sup>

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<sup>45</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 12 November 2012.

<sup>46</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 18 November 2012.

<sup>47</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 22 November 2012.

<sup>48</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 15 November 2012.

<sup>49</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 7 November 2012

<sup>50</sup> Usman Sarwar, "Пахтакор боланинг ўлими учун ким жавобгар?," *Ozodlik.org*, 23 October 2009, available at <http://www.ozodlik.org/content/article/1859306.html>, last accessed 4 January 2013.

<sup>51</sup> Alliance of Uzbekistan Human Rights Defenders, cited in Uzbek-German Forum for Human Rights, *A Chronicle of Forced Child Labour: Reports from the Uzbekistan Cotton Harvest 2009, Week 3*, available at <http://uzbekgermanforum.org/wp-content/uploads/2011/11/A-CHRONICLE-OF-FORCED-CHILD-LABOUR-2009-Week-3.pdf>, last accessed 4 January 2013.

<sup>52</sup> Sadridin Ashour, "Иштихонда "Зарбдор ўн кунлик" эълон қилинди," *Ozodlik.org*, 4 November 2011, available at <http://www.ozodlik.org/content/article/24381666.html>, last accessed 3 January 2013.

- In 2011, students of the Pediatrics Faculty of the Andijan Institute of Medicine were forced to pick cotton and meet daily quotas of 100 kilograms per person.<sup>53</sup> An Institute teacher, Husan Ganievich Mamadiev, explained his role supervising the students to comply with orders of the local hokim Ahmadjon Tufilovich, “I am the leader of a group. Ahmadjon Tugilovich said to fulfill the targeted quota and I have to obey.”<sup>54</sup>
- In 2011, the regional hokim (mayor) of Surkhandarya, Turob Juraev, severely beat eight college directors who failed to deliver daily cotton targets, during a meeting to review cotton harvest progress on October 25.<sup>55</sup> Teachers were forced to record full attendance during the cotton harvest, while the children worked in the cotton fields.<sup>56</sup>
  - “They tell us to fill the registration books, and make us write that the class has taken place. A teacher is a liar in front of a child’s eyes. And we have to grade them at our own risk. Sometimes I even regret that I have become a teacher. It is hard to look the children in the eye,” - School Director, Surkhandarya region.<sup>57</sup>

Widespread extortion was another shocking characteristic of the quota system during the 2012 cotton harvest. Across the country, adults reported being charged for the difference between the cotton they picked and their assigned quota. In many cases, students, day laborers, members of mahalla committees, nurses, doctors and others forced to work the harvest paid local residents 300 som per kg to fulfill the quota. As a teacher who harvested in the Jizzak region reported, over the course of her shift in the cotton fields, she paid 25,000 soms to fulfill her quota. For government employees, the government authorities had the convenience of simply deducting money from the salaries of employees who failed to meet their quotas.

For those who could afford it, there was the alternative to pay the head of one’s institution, ostensibly for that director to hire a replacement cotton picker. For teachers, nurses, doctors and other government employees, payments ranged from 300,000-600,000 som and were paid to the principal, chief doctor, *etc.* Students paid 300,000-400,000 som to avoid picking cotton. Payments were strictly enforced. As a parent sadly shared during an interview, she visited her son and met another family of a boy named Muzaffar, who had broken his arm but only allowed to go home after paying 100,000 som. For most people, paying to avoid the cotton fields was financially unfeasible, for example, more than a month’s salary for a teacher. The reality that there was no choice was clear. “*In fact, even 300 dollars is a lot, it is my father’s two months salary. But refusing means not passing exams.*” - Student, Andijan, 2012

The penalties for underperforming are not reserved only for individual pickers; regional and local authorities manage an underperforming district or region only at the risk of their own career as well. The Prime Minister Shavkat Mirziyaev convenes meetings and teleconferences (*selectornoye soveshanie*) with

<sup>53</sup> Ozodlik.org, 12 September 2011, available at <http://www.ozodlik.org/content/article/24326204.htm>, last accessed 21 December 2012.

<sup>54</sup> *Id.*

<sup>55</sup> Sadridin Ashour, “Хоким коллеж директорларини калтаклади,” *Ozodlik.org*, 27 October 2011, available at <http://www.ozodlik.org/content/article/24373406.html>, last accessed 3 January 2013.

<sup>56</sup> Sadridin Ashour, “Ўқитувчи жиноятга қўл урмагани учун жазога тортилди,” *Ozodlik.org*, 16 November 2011, available at <http://www.ozodlik.org/content/article/24392598.html>, last accessed 3 January 2013.

<sup>57</sup> Sadridin Ashour, “Ўқитувчи жиноятга қўл урмагани учун жазога тортилди,” *Ozodlik.org*, 16 November 2011, available at <http://www.ozodlik.org/content/article/24392598.html>, last accessed 3 January 2013.

the prosecutors, police chiefs, farmers and government officials of all regions of Uzbekistan to arrange and oversee the mobilization of schoolchildren, students, and government employees to harvest the cotton. The communications from the Prime Minister are regular and include specific instructions.<sup>58</sup> The hokim of Bukhara region lost his position after farmers of his region protested the late delivery of finance from the government-owned bank during the 2011 season.<sup>59</sup> Despite the reality of the tensions, the government news agency presented a documentary to convey that he was fired for corruption.<sup>60</sup>

While the forced labor of children and adults continues year after year, the government of Uzbekistan steadfastly denies the practice. The contrast between the practice and the government's statements highlight the complete failure of the government to implement the national labor laws and international labor standards prohibiting forced labor and child labor.

After ratifying the ILO Convention No. 182 on the Worst Forms of Child Labour on June 24, 2008, the government of Uzbekistan passed a series of laws and resolutions that suggest efforts to apply the convention. The Cabinet of Ministers passed the law "On measures to implement the Convention, ratified by the Republic of Uzbekistan on the minimum age for admission to employment and the Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour" ("Collection of Laws of the Republic of Uzbekistan "2008, № 39, art. 377) on September 12, 2008, signed by the Prime Minister of the Republic of Uzbekistan and published on the website Norma № 40 (169) on October 3, 2008. In 2011, the Federation Council of Trade Unions, the Association of Farmers of Uzbekistan and the Ministry of Labor and Social Protection of the Republic of Uzbekistan published a joint statement concerning the prohibition of child labor on the website of the information agency of the Ministry of Foreign Affairs of the Republic of Uzbekistan "Jahon". Thereafter, the Government Order No. 82 of 26 March 2012 approved the Plan of additional measures for the implementation of the Forced Labour Convention, 1930 (No. 29), and the Worst Forms of Child Labour Convention, 1999 (No. 182), 2012–13 (Plan on additional measures). In August 2012, the Prime Minister of Uzbekistan also issued a statement that children were not to pick cotton. In 2012, the Uzbek Ministry of Education Letter No. 01-523, dated September 8, 2012, delivered a message to the Ministry of Education of the Autonomous Republic of Karakalpakstan and the central education boards of Uzbek provinces and Tashkent not to allow school children to pick cotton.

Juxtaposed with continued forced labor of children and adults in the cotton fields, the government's resolutions and statements can only be understood as attempts to relieve pressure from the international community. None of the government's statements address forced labor; to do so, the government would be acknowledging their total control of the cotton sector and role in coercively mobilizing child and adults to harvest cotton. Despite this direct culpability for the system of state-sponsored forced labor, the Government denies the practice, alleging that such claims are politically motivated by 'foreign actors' to undermine Uzbekistan cotton on the international market.

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<sup>58</sup> *UzNews*, "Мирзиев объявил хлопковый хашар," *UzNews*, 24 September 2009, available at [http://www.uznews.net/news\\_single.php?lng=ru&sub=hot&cid=2&nid=11338](http://www.uznews.net/news_single.php?lng=ru&sub=hot&cid=2&nid=11338), last accessed 4 January 2013.

<sup>59</sup> Resident of Bukhara 2, anonymous for personal security. Personal Interview by Matthew Fischer-Daly. 26 September 2012.

<sup>60</sup> *Id.*



In 2011 the government of Uzbekistan stated to the ILO Committee of Experts that “no information is available on the number of persons pursued for mobilizing children for cotton gathering because there are no persons, including government officials or private persons, who have committed such offences”, and that “the involvement of children in gathering cotton does not have a negative effect on their health or education”. In light of the government’s continued intransigence, in its 2013 report, the ILO Committee of Experts concluded,

*“despite the Government’s denial, sources in the country indicate the widespread mobilization of forced labour (particularly of children) in the annual cotton harvest in a number of Uzbekistan’s regions.”*<sup>61</sup>

and

*“the Committee must once again note with serious concern that the Government has yet to respond positively to the recommendation to accept a high-level tripartite observation mission. The Committee’s concerns are reinforced by the evident contradiction between the Government’s position that children are not removed from school for work in the cotton harvest, and the views expressed by numerous UN bodies and social partners that this worst form of child labour remains a serious problem in the country.”*<sup>62</sup>

### ***3. The role of law enforcement agencies***

Post-Soviet Uzbek law enforcement agencies strike fear into the population. People are cautious and mistrustful of law enforcement officers, even if the latter are law-abiding and well-intentioned citizens. Fear of the state is a natural phenomenon in Uzbekistan, due to a large degree to the complete lack of an independent judiciary and freedoms of association, press and speech. Everybody is conscious of his dependence and vulnerability vis-à-vis the powerful state apparatus. Government officials in Uzbekistan abuse this fear. The entire cotton forced labor system depends on this, such that people obediently pick cotton for the state.

Law enforcement agencies also participate in all stages of the cotton harvest, to ensure obedience. They are obliged to make sure that farmers reap the cotton and deliver it to the state. Prosecutors and police officers are assigned to "control the execution of government regulations on agriculture." Farmers reported that the local police chief and the regional prosecutor always participates in the meetings on cotton harvest, which adds a militancy, and with it, intimidation factor, to the meetings.

During the cotton season, prosecutors and police officers take part in daily meetings, dedicated to the daily harvest results. Following the governor’s decision, policemen often arrest and beat guilty farmers. A farmer from Kashkadarya region said in an interview that he voluntarily gave up his land as he was tired of continued threats and harassment from the local governor and prosecutor.

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<sup>61</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Abolition of Forced Labour Convention, 1957 (No.105), Published 2013.

<sup>62</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Worst Forms of Child Labour Convention, 1999 (No. 182), Published 2013.

Police officers also exert their authority over parents who refuse to let their children to pick cotton. "In our country contempt of state is the most serious crime," one of the parents from Tashkent said.

Law enforcement forces were charged with preventing any attempt to monitor and document the extent of forced labor. Policemen were guarding the roads and watched the people arriving in cotton areas. During the harvest, police cars ran between the fields, instead of preventing crime.

Teachers and farmers were instructed to prevent photography in the cotton fields. They were ordered to immediately report to security services the appearance of any stranger with a camera in the field. Security officials arrested and deported foreign activists and journalists from the fields and from the country.

Law enforcement agencies zealously perform their task of dealing with the cases of insubordination to "cotton policy." Following the instruction from national security and law enforcement officers, adult cotton pickers were placed next to the busy routes, newly arriving "volunteers" further away near residential areas and field camps, and college and lyceum students were sent to the remote steppe fields. Cars were checked upon approaching fields for cameras and cell phones.

#### ***4. Increased corruption***

Remarkably, the 2012 cotton crop was harvested much more quickly than in previous years, and apparently at a lower financial cost to the government. The material costs associated with manual cotton collection were passed on to the country's citizens. The scale of extortion from state employees, private businesses and students was unprecedented in its scope and scale during the 2012 cotton harvest.

Students were informed that if they did not go to the cotton fields, they would have to pay \$200 or face expulsion. Unprecedented numbers of adults sent to pick cotton did not receive any payment for the cotton they picked. Initial indications highlighted that the majority of government employees received no compensation for their work. Any adults who wanted an exemption from picking cotton and had the economic means could pay roughly \$200, an amount that corresponds to more than the average monthly salary in Uzbekistan. The money was supposedly used to hire markidors (day laborers) to work in their place; however, no one knows where this money really went, because there were no transparent accounting systems.

Extortion from businessmen increased in scale and formality. As a businessman from Angren reported to Radio Liberty, "Taxmen told us last year that we should either pick cotton ourselves or donate 50,000 soms. We gave money without receipts and we do not know how the money was spent."<sup>63</sup> According to the report, another Angren businessman reported that the levy was 4-6 times higher in 2012 than in the past, and a bank account was established into which the businessmen had to make deposits.

#### ***5. Government repression of citizens who attempt to monitor and rejection of the International Labour Organization***

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<sup>63</sup> *UzNews*, "Businesses forced to sponsor cotton harvesting in Angren," 12 September 2012, available at [http://www.uznews.net/news\\_single.php?lng=en&sub=hot&cid=2&nid=20776](http://www.uznews.net/news_single.php?lng=en&sub=hot&cid=2&nid=20776), last accessed 21 January 2013.

In 2012, the Uzbek government continued to conceal information on the criminal nature of cotton campaign. Government authorities continued to harass, intimidate and repress citizens who attempted to monitor. The Uzbek government again refused to invite the ILO to conduct monitoring.

The ILO, the United Nations agency responsible for establishing and monitoring labour standards worldwide, visits a country upon invitation from the host government. Since 2009 the ILO has called on the Uzbek government to respond to continued reports from workers, employers, and civil society of systematic and persistent use of forced labor of children and adults in Uzbekistan's cotton fields. Since 2010 the ILO tripartite supervisory body has called on the GOU to invite a high-level tripartite mission to conduct unfettered monitoring during the cotton harvest. In 2012, the ILO offered the Uzbek government an opportunity to take an initial step by inviting an ILO technical assistance team that would monitor during the harvest. The GOU, however, has steadfastly refused to grant access to the ILO.

Only a few brave human rights defenders in Uzbekistan continue to investigate and report on the situation. It is forbidden for foreign journalists to appear in the cotton fields and talk to people working there.

Throughout the 2012 cotton harvest, Uzbek government continued to harass, intimidate and suppress citizens who tried to monitor the process. It was forbidden for students and their visiting parents to make photos of the living conditions with their mobile phones. Farmers were also warned to "keep their mouth shut" and to report any suspicious people on their farms.

On September 22, the Yakkabag district police detained activists Yelena Urlaeva and Malokhat Eshankulova and searched for photos and videos. The day before, they documented the working schoolchildren of the 4<sup>th</sup> to 6<sup>th</sup> classes from school № 70 in the village of Beshkaltak. Rights activists understood that they found out something they were not supposed to know immediately after their contact with the teachers and students of the school № 70 in Yakkabag district of Kashkadarya region.

*"We were followed by several cars with people in civilian clothes,"* Eshankulova said. Despite the surveillance, human rights defenders tried to "break through" to the neighbouring Kamashi district, where schoolchildren allegedly worked in the cotton fields, but they did not succeed. *"Our car was blocked by six policemen. They demanded that we give them our video and photo equipment,"* Eshankulova said.

Traffic police has no right to make such demands. Women went to Kamashi district by a different car and a bypass road. But the story repeated. Traffic policemen soon stopped this car too. *"We had to hide in the house of local residents for a few hours, until one of the activists from Shakhrisabz took us out of Kashkadarya region,"* women said.

Gulshan Karaeva of the Human Rights Society of Uzbekistan (HRSU) was arrested on September 27, on ambiguous charges of libel. She believes this way the authorities warned her to stop reporting on the cotton harvest, as she used to do in previous years.

At the height of the cotton harvest, authorities arrested human rights activist Uktam Pardayev from Jizzakh town on false charges, which still remain unknown to him. Uktam Pardayev was arrested for 15 days, immediately after he had reported on cotton harvest abuses in Jizzakh.

### ***E. Socio-Economic and development impacts of the forced-labor system of cotton production***

#### ***1. Education, health care and public national infrastructure***

The massive forced labor of government employees strained the delivery of many public services, including essential medical care. Medical personnel and public sector employees were forced to pick cotton all over the country, which hindered the provision of essential medical care. Approximately 11,000 nurses and doctors from hospitals and clinics in Tashkent were sent to the fields in remote Arnasay district of Jizzakh region.

An employee of a Tashkent regional hospital described the situation in his hospital during the cotton campaign, "*Chief physicians supervised cotton harvest. They traveled from Tashkent to Jizzak, brought money and food. Heads of department collected money from those employees, who did not go to the fields. And junior staff and doctors picked cotton.*"

A Bukhara resident reported: "*My niece got sick, so I took her to the children's hospital. They told me there were no doctors.*" In another interview, a gynecologist from Bukhara region said that the medical staff in her area was mobilized to the fields. Citizens reported similar situations from throughout the country.

Official media published reports of "voluntary cotton pickers" or "khasharists" from various government organizations, and described the situation at the workplaces as "solidarity". There, in schools, hospitals and other government organizations, employees who were not sent to the fields had to pick up the work of those in the cotton harvest, for the same payment.

*"More than 300 employees of regional and district departments of culture and sport went to cotton khashar. But one shouldn't think that the cultural and sports life stopped. The remaining employees work for two people -for oneself and for the other,"* – explained Davron Shamsutdinov, sports instructor of the Namangan Department of Cultural Affairs and Sport

An emergency medical technician (EMT), who worked on an ambulance in Tashkent and was sent to pick cotton for three weeks, reported that the remaining colleagues had to work nonstop, seven days a week without days off.

Education sector was also severely affected by the fact that 50 to 60% of teachers were sent to the cotton fields. The remaining teachers had to combine classes and to teach simultaneously 50 to 60 children without additional payment.

## ***2. Corruption: increased extortion during 2012 and impacts on governance and development***

In the Corruption Perceptions Index, the annual report of the international organization Transparency International, Uzbekistan's rank is 170 out of 174 countries. The countries with worse corruption rankings are Afghanistan, Myanmar, Somalia, Sudan and North Korea.

Corruption runs through the entire state order cotton production system, which provides government officials various schemes for extorting money from their less-powerful fellow citizens. Particularly those with specific roles in the cotton industry line their pockets with substantial sums of money extorted via uncontrolled requisitions from people who did not go to the fields, did not meet their quota or failed to otherwise contribute 'enough'.

All interviewed students named bribes as the biggest challenge in the institutes and colleges. Each assessment has its own price. One should pay for a place in the university and even a place in the student dormitory. *"The teacher can give a student the keys to his car and ask him to fill it with gasoline, which costs 50.000 sums. He wouldn't even ask himself whether a poor student has money,"* a student of the Karshi Institute complained. *"Once entered the college, you should study, teachers say. But when we are taken to the cotton campaign for two months, none of them says, we need to study instead of working in the field. "*

In 2012, cotton crop was harvested faster than in the previous years, and apparently at a lower cost for the state. The costs were shifted to the citizens. The scale of money extortion from public employees, private businessmen and students in 2012 was higher than ever before observed.

Students reported that they had to pay \$100 to avoid going to the fields; otherwise, they would have been expelled. The vast majority of public sector workers did not receive any payment for the harvested cotton. Adults who sought an exemption from picking cotton had to pay \$150-200, a sum higher than the average monthly salary in Uzbekistan. The money was allegedly used for hiring mardikors. Yet, due to lack of transparent payment systems, no one could verify the actual fees and expenses from these funds. Exemptions from the cotton harvest for private businesses rose in price and changed in form. A businessman from Angren told Radio Liberty, *"Tax Inspectorate told us last year that we either have to pick cotton ourselves or pay 50.000 sums. We paid the money, but received no cash checks and do not know how the money was spent."*

Employees of the city hospital No1 reported that they received no money for the last year's harvest either. According to them, every chief official came to work following the harvest with 'a new Nexia car and a suitcase full of money in the trunk'.

*"The director and teachers misappropriate the money earned by children. A college director asked me whether I have the money for 30 tons of picked cotton, which amounts 4.5 million sums. The director said he had a lot of expenses, needed to pay the authorities, daily transport expenses to go to to the regional meetings. He asked me to give him 2.5 million sums in cash and promised to give me a statement for 4.5 million sums, signed by children. Then he told the children that the farmer went bankrupt and the bank paid him no money. Children first asked about the money, but in 2-3 months no one asks where the money went."* – Farmer, Tashkent region

No one could say how much money was budgeted for food. Different prices were named during the interviews. A sum of 24 to 40 kg of picked cotton was deducted for food costs, which would translate into anywhere from 3,600 to 6,000 sums per day, for two meager meals. Money collected by chief doctors, mahalla committees, school directors and others allegedly for "food and provisions for cotton pickers" was not controlled. Sources reported on extensive corruption in this area.

A teacher from Kashkadarya said: "*Costs for lunch are calculated for 300 people and include 3.5 kg of meat, onions, potatoes and water. This food should cost a maximum of 1,500 sums per person. But they deducted the price for 30-35 kg of picked cotton for this food, which is 5,000 sums for a meal per person. The management stole millions of sums through fraud with nutrition.*" Because of the poor food quality, many cotton pickers did not eat the food offered and instead had to buy it from the local people.

Money was collected from the population even after the harvest ended. Parents, who did not let their children go to the fields, said the college administration demanded from them to pay about \$100 per child without further explanations.

A student of a prestigious Andijan lyceum said, "*There were those, who did not go to cotton campaign and paid no money. As the studies started on November 1, they were told to pay 300,000 sums otherwise they will be expelled. They immediately paid because our lyceum is good and to enter it one has to pay a bribe.*"

Mahalla committees, clinics, hospitals, schools, kindergartens collected money "for participants of cotton harvest." These funds were spent without any control since fees were from the start illegal.

It is assumed that the intensified forced labor of adults, which replaced child work, turned out profitable for the organizers of the cotton harvest. Corruption rose because officials could extort cash from the population.

*"We were told we will be paid 150 sums per kg. We received nothing. After we complained to the staff representative in Tashkent, part of our group, 400 nurses received money for the last five days. Later, we found out that these payments were made from the money collected from the remaining physicians. Neither farmers nor the state paid us. Chief Doctor said he did not receive money, earned by cotton pickers last year. Money is as a rule misappropriated by chiefs of cotton factories, prosecutors and governors."* - Doctor, Tashkent hospital.

College teachers were required not only to participate in the cotton harvest themselves, but also to make sure that the students work and fulfill the set cotton quota. "*If I refuse, they will tell me to leave the work, and 100 candidates will claim for my position,*" - a college teacher from Samarkand said.

In case of college students, threats of expulsion from school often remain threats. Meanwhile, school teachers and institutions obediently perform the superiors' task to send the students to the fields. For this purpose, all possible instruments of propaganda are used from promises to give good assessment grades, requests and discussions with parents, threats of expulsion from college, and finally asking the parents to spare teachers, as they might lose their jobs if the children don't go to the cotton field.

As a result of this psychological pressure, parents and students with their own mattresses and provision go to the cotton campaign for two months as a duty to their country.

*"We have a new district prosecutor. In the evening, after submission of the picked cotton, he invites the team leaders, who did not fulfill the plan. Three to four policemen are also present during the meeting. The first time, one can get away with curses and threats, but the second time he can order one's arrest. On March 1, I spent one night in the cell of the district police station. Next morning I was released. This is done in order to keep us in fear."*

The system of forced cotton labor affects the development of the country by reducing the level of education and healthcare, and the welfare of already poor population.

### ***3. Forced labor cotton production as method of social control***

If you live in Uzbekistan and are not connected to the governing elite, your livelihood depends on picking cotton. Fulfilling your cotton quota is necessary to keep your job, receive your salary, receive your diploma, your child-care support, your pension. You have lived your entire life observing parents powerless to keep their children from laboring in the cotton fields, farmers powerless to earn a living, local authorities enriching themselves, and central authorities proclaiming such greatness that you often wonder if they were speaking of a foreign land. "What is there to like?" asked Nurse Nigora, age 45, during an interview following the 2012 cotton harvest.<sup>64</sup>

What does it mean to a society in which every individual's livelihood is dependent on picking cotton for the government? What does it mean to a society in which every boy and girl observes their parents' inability to protect them from the dangers inherent in agricultural labor? Full understanding of the answers to these questions will likely require significant observation and analysis after the yoke of cotton-harvest participation is lifted from the Uzbek people. What is evident already is the depth at which the government has engrained compliance in its state order cotton production system.

Picking cotton to enrich the government elites is now a cultural norm in Uzbekistan. Much of the population has lived their entire lives with President Karimov ruling the country.<sup>65</sup> Whether you personally are a farmer or not, you know that farming leads to debt from fulfilling cotton quotas for returns lower than the cost of production. Whether you personally have been expelled from school or denied a diploma for refusing to pick cotton, you understand and avoid these consequences by picking cotton to fulfill your quota. You do not dare ask your mother or father to pay a fee to the school principal, because you know the cost represents nearly a month's salary. Whether you have personally lost your job or had salary deducted for refusing to pick cotton, the choice is clear to you as a young professional – and likely a mother or father – to pay a day laborer to fulfill your cotton quota rather than risk the consequences of refusal. Whether you personally have been denied pension payments by the mahalla committee, you do not dare refuse their call to the harvest and risk access to affordable cooking oil, for example. Whether your business was visited by the tax man in past years, you know that your business could not withstand tax penalties and therefore contributed to the district

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<sup>64</sup> Personal interview by Uzbek-German Forum for Human Rights, 6 November 2012.

<sup>65</sup> 47.5% of the population of Uzbekistan is age 24 or younger. President Islam Karimov became chief of state in March 1990.

authorities' fund for the cotton harvest. Every single person interviewed for this report mentioned punishment for not fulfilling their cotton harvest requirements.

Propaganda is constant during the cotton harvest. The practices reported by the U.S. Embassy in 2009 continued through 2012,

*“Campaigns encouraging everyone to get out to the fields to do their part for the country are in full swing. A sign on the locked front gate to one of the markets in Jizzak cheered workers on. (Meanwhile, people streamed in the unlocked side entrance.) State employees are transferred to the fields (something undoubtedly not in their job descriptions), and private business owners are being asked to send some of their employees to the fields or to hire day laborers in their places. Threats, implied or explicit, often accompany these requests.”*<sup>66</sup>

Uzbek citizens expect that their government defrauds them. As a day laborer in Angren reported, the “Weight wrong of course,” when he delivered the cotton that he picked.<sup>67</sup> A nurse from Tashkent described the charges for food, “This was an obvious fraud.”<sup>68</sup> A mother noted, “income doesn’t exist, only the costs.”<sup>69</sup> A teacher from Tashkent region, “I’m so tired of all this. The children are a gratuitous force, absolutely powerless. Many do not understand, and even fear.”<sup>70</sup>

Farmers often note that the prevalence of corruption has pervaded the country so deeply that honesty leads to one’s destruction. Regional authorities misrepresent harvest quantities, a practice known as “pipriska” that is considered standard operating procedure.

The people are aware of the underlying reasons. Uzbek people quickly note the benefits gained by local and regional authorities and the government’s exploitation of vulnerable groups of society.

“For the state, it is a freebie. The children can be free to say collect. Not only did not pay for the work. It is easier to manipulate children.” – Parent, 2012<sup>71</sup>

“What is the use of cotton for us? Even farmers themselves don’t make any profit, only government needs it.” – Parent, 2012<sup>72</sup>

“The government only sticks to those who are scared of losing jobs or who can be forced. That’s why teachers and medical doctors are involved and the military.” – Teacher, 2012<sup>73</sup>

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<sup>66</sup> Cable from the US Embassy in Tashkent to [RUEHC/SECSTATE WASHDC]. *Uzbekistan: The Cotton Harvest in Jizzakh*, para. 7. (November 13, 2009)

<sup>67</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 29 October 2012.

<sup>68</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 26 October 2012

<sup>69</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 29 October 2012

<sup>70</sup> Personal interview, name anonymous to protect personal safety, by the Uzbek-German Forum for Human Rights, 28 November 2012

<sup>71</sup> Personal interview by Uzbek-German Forum for Human Rights, 17 November 2012

<sup>72</sup> Personal interview by Uzbek-German Forum for Human Rights, 28 November 2012



Yet the Uzbek people do not resist out of fear and deeply embedded acceptance of the system. Parents are not in a position to protect their children. In attempting to protect them, parents would not only risk their family's livelihood but also counter every social norm that has been instilled in them.

"It is useless to object. The government is behind this cruelty. After my child came back ill from cotton, I regretted that I didn't pay the money & keep him here." "When I was at school too, when I was a student I went for four years to pick cotton." - Mother, 2012<sup>74</sup>

### **Story of a mother, who did not wish to let her children pick cotton**

*Two of my children study in college. Before the start of the harvest, their teacher came to our house and said it was necessary to prepare the children for cotton campaign. I said I can not let my children go. The teacher told me it was possible to get exemption only if they are sick. The ordinary doctor's note would not work and we would need certification by a special medical commission. She also asked me to write her a note, refusing to send my children to pick cotton. She added I would be fired from my job, because this year cotton campaign is especially strict. I wrote the note and gave it to the teacher.*

*After that different college teachers started to come to my house and persuade me to send my children to the cotton harvest. I refused. Then, they went to my boss and asked him to dismiss me. I work in a cafe.*

*The chairman of the mahalla committee stepped in. He also tried to persuade me to send my children to the cotton fields, arguing that cotton is a state matter and that even imams of mosques went to the fields. Supposedly, imams were tasked to divorce parents, if they refused to send their children to pick cotton. I think he said it because of lack of education or because he wanted to scare me. They also threatened with job dismissal. Finally, my superior told me that I should send my children to cotton otherwise I would be dismissed. I wrote a letter of resignation.*

*Afterwards five people, who said they were all from the college, came. "Prosecutor's Office considers your case. You have to send your children to the cotton campaign," they threatened. I decided to withstand until the end. Then a local policeman came and told me that the cotton campaign was not a game, but a government policy and that I will have to send my children in the end. After my refusal, he said I should go with him to the prosecutor. I said, "If I am a criminal, then put handcuffs on me and take me to the prosecutor. If I am not a criminal, leave me alone." He left and did not return anymore.*

*All schoolmates of my children went to the cotton harvest. Few days later 5 to 6 people fled home. I asked them why they fled. They responded that "even a dog would not eat the food we received" and that they were placed in a room inappropriate for living. They walked to the field so long, that their feet got swollen. Many students could not stand it until the end of the season. They said they had terrible conditions, they were beaten. Police controlled them to prevent escape.*

*So I did the right thing not having sent my children to cotton. Last time a college employee asked me to write a statement that I agree to be dismissed for not letting children go to the cotton harvest. I refused to write it, and even talk to them. Then, I heard rumours that my brothers work in Tashkent power structures, and I am therefore so brave. Well, let them speak.*

*“Who would argue with them?! If someone demands their rights, they will cut the child benefit with some kind of excuse. These neighborhood office people find thousand ways of cutting the benefits. They say that the limit is over, or someone is working in their household so they are not eligible, there is no money for them.” – Mother, 2012<sup>75</sup>*

The government has successfully used sufficient cases of serious punishment to ingrain the message in every citizen. Just as the massacre in Andijon prevented citizens from organizing independently for years, firing a regional hokim, withholding salary from a few nurses, expelling a few students, reallocating the land of some under-performing farmers suffice to set the example, send the message, and maintain compliance with the state order cotton production system. Students interviewed in 2012 noted that resistance is impossible, because picking cotton is not a choice but a part of life dealt with by their parents and expected for their children. The government of Uzbekistan systematically uses intense fear as a means of coercion to ensure participation in the cotton harvest.

Despite the dire situation and enormous challenges they face, Uzbek communities are admirably brightening the future for their children. In several districts, parents have begun to distribute the law “On measures to implement the Convention, ratified by the Republic of Uzbekistan on the minimum age for admission to employment and the Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour”. The citizens recognize the need for rule of law and possibility presented by claiming rights under the existing laws. Across the country, people take individual action and invite others to join in collective action. Dozens of individuals throughout the country participate anonymously in a network of eyes, ears and documentation of the abuses endemic in the state order cotton production system. Despite surveillance, internet censorship and selectively tapped telephone lines, these individuals manage to disseminate evidence of human rights abuses outside of Uzbekistan.

## ***II. 2013 Trafficking in Persons Report Ranking***

The US Department of State exercised waiver provisions included in the Trafficking Victims Protection Act (TVPA) reauthorization in order not to downgrade Uzbekistan to Tier III in the *2012 Trafficking in Persons Report* (JTIP) despite the government of Uzbekistan’s continued and systematic use of forced labor<sup>76</sup> for cotton production, repression of its citizens who attempt to monitor the situation, and direct denial of its egregious practices to the US government.<sup>77</sup> In 2013, the Department of State no longer has waiver authority

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<sup>75</sup> Personal interview by Uzbek-German Forum for Human Rights, 7 November 2012.

<sup>76</sup> Forced labor is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” International Labour Organization, C029 - Forced Labour Convention, 1930 (No. 29).

<sup>77</sup> During the January 2012 hearing for US GSP, Ambassador Ilhom Nematov, Ambassador of the Republic of Uzbekistan stated, “...already mentioned that today 100 percent of cotton is being produced by farms. It's not compulsory. I absolutely cannot agree with our friends that it's compulsory in Uzbekistan is forced labor. It's not forced labor because, you know, today literacy in Uzbekistan is 100 percent.” and “Well, I don't know what you are talking about, but when we are talking about the quota system, we don't have quota system in Uzbekistan. I already said that during Soviet time, we had. During Soviet time, it was compulsory... And today we don't have any quota for this particular region, for the cotton...We don't have any quota, quota system.” Reference: Executive

and must either downgrade Uzbekistan to Tier III or upgrade it to Tier II. Despite some changes in the demographics, during the 2012 harvest the Uzbek government mobilized hundreds of thousands of children and adults for forced labor in the fields, thereby clearly failing to demonstrate the sustained and significant progress required to justify an upgrade.

The government of Uzbekistan did not make the legally required substantial and sustained progress toward ending forced labor of children and adults during the 2012 cotton harvest. While most elementary schools remained open and younger children were not mobilized on the same massive scale as in the past, government-organized forced child labor of high-school students increased nationwide; there were incidents of forced child labor of young children, apparently organized by local government officials; and government-organized forced labor of adults intensified dramatically. At the local level, the execution of the national Uzbek government's plan to refrain from forcing the youngest children faced the challenge of overcoming decades of reliance on young children to finish the cotton harvest. For the J/TIP placement, the question of how many children under 15 is not the issue; even if the demographic shift to adults, legally meaning Uzbek citizens over 18, it is not possible to characterize a substitution of one form of forced labor for another as progress. Forced labor is an egregious human rights violation, and the Uzbek government's forced labor cotton production system merits nothing higher than a Tier 3 placement in the J/TIP report.

Far short of making "significant efforts" to combat human trafficking, which is the Trafficking Victims Protection Act requirement for Tier 2 placement, the Uzbek government steadfastly refuses to acknowledge the problem.

At the January 2012 public hearing on the Government's continued eligibility for trade benefits under the United States Generalized System of Preferences (GSP), Uzbekistan Ambassador Ilhom Nematov denied openly to U.S. government officials that there was any forced labor, stating

*"That's why, during the Soviet time, it was compulsory to pick up cotton by children, but today's not compulsory because 100 percent of cotton is being produced by farms." He also denied the existence of the cotton production quota system. In the report of the ILO Committee of Experts, released in 2013, the government once again denied forced labor in the agricultural sector, in response to information provided by both the International Organization of Employers (IOE) and International Trade Union Confederation (ITUC) concerning "the systematic and persistent use of forced labour, including forced child labour, in the cotton fields of Uzbekistan."*<sup>78</sup>

**Less than three weeks ago, Uzbekistan's Ambassador Nematov once again stood before the U.S. government, at the hearing on his government's GSP eligibility, and stated,**

***"...there is no compulsory to forced labor..."***

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Office of the President, Office of the U.S. Trade Representative, "Public Hearing for U.S. Generalized System of Preferences (GSP): 2011 Annual Review of Country Practices." January 25, 2012, Washington D.C. Case No. 006-CP-08 WR – Uzbekistan.

<sup>78</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning the Abolition of Forced Labour Convention, 1957 (No.105), Published 2013.

*“Today, cotton is hard currency, and if somebody who has interest to go pick up cotton and make money, there is no compulsory. He can go and the farmers will pay for them. But today, school for children, it is not compulsory to go to pick up cotton at harvest time in Uzbekistan.”*

*“No. Children do not participate. I didn't say that. But if farmers invite some companies or some people to help pick up cotton, they pay them, but not children; adults.”*

**While many governments fail to effectively curb human trafficking, Uzbekistan stands out. The Uzbek government organizes, orchestrates, and benefits from forced labor on a massive scale. An upgrade of Uzbekistan to Tier 2, in spite of the evidence that shows that the Uzbek government has made no significant efforts to comply with the minimum legal standards, would seriously call into question the credibility of the JTIP Report.**

Under the TVPA statute, the State Department should downgrade Uzbekistan to Tier 3 in the 2013 *Trafficking in Persons Report*. Failure to downgrade Uzbekistan to Tier 3 would reward the government of Uzbekistan for flagrant disregard of its national laws and international commitments and ensure state-sponsored forced labor of over one million children and adults in the Uzbek cotton sector in 2013. It would also contribute to placing US companies in a position of increased risk: companies operating in Uzbekistan continue to succumb to pressure to contribute to the forced labor system, and companies using cotton around the world continue to face the risk of forced-labor made cotton from Uzbekistan tainting their supply chain.

In 2007, the ILRF lodged a GSP complaint on the issue of forced labor and forced child labor, both of which are clear violations of the GSP statute. Since, ILRF and the Cotton Campaign have requested that the US government take clear, unequivocal action to condemn the Uzbek government's forced labor system by ending trade and investment incentives like GSP that reward companies who are doing business with the Uzbek government. Again this year, we continue calling on the US government to implement a sensible trade and investment policy vis-à-vis Uzbekistan.

To make clear the urgency of taking action – on J/TIP, GSP and the Tariff Act of 1930, the possible risk of placing US companies into the position of violating US laws prohibiting forced labor should be considered. There are at least two US-owned companies operating in Uzbekistan that have directly contributed to the Uzbek government's forced labor system of harvesting cotton. Additionally, there are companies processing cotton in Uzbekistan that continue to supply US-based companies and raise the risk of tainted cotton entering into government contractor's procurement. Companies who agree to buy into the Uzbek government's state order system for cotton production themselves become vehicles for distributing cotton products from cotton produced by forced labor. Recently, the companies Daewoo International and Indorama Corporation have both been involved in imports of Uzbek cotton products into the U.S., in flagrant violation of the Tariff Act of 1930, 19 U.S.C. §1307.

In the coming weeks, the legal requirement to place Uzbekistan in Tier 2 or 3 in the 2013 JTIP Report combined with the confluence of the report's June release and the International Labour Conference present unique leverage. One clear lesson from the 2012 cotton harvest is that the government of Uzbekistan was at some level responsive to international pressure. Unfortunately, the Uzbek government

ignored the message that state-sponsored forced labor of any kind, any age child or adult, is illegal under national law and violates international standards.

On June 19, 2012 and April 16, 2013 the Cotton Campaign - including business, labor, human rights and investor organizations worldwide - wrote a letter to the Secretary of State. The letter identified that the minimum step the government of Uzbekistan should have taken to avoid a downgrade in the 2013 JTIP report was to invite the ILO to monitor the 2012 cotton harvest.<sup>79</sup> The government of Uzbekistan demonstrated its disregard for its human rights commitments and the US TVPRA minimum standards by refusing once again to invite the ILO.

An invitation from the government of Uzbekistan to the ILO to conduct tripartite monitoring during the 2013 cotton harvest would represent the minimum step expected by the multi-stakeholder international community of the government of Uzbekistan to demonstrate significant effort to address human trafficking. If Tashkent fails to invite the ILO prior to the release of the JTIP Report and the State Department ranks Uzbekistan Tier 3, State may maintain principled engagement by urging Tashkent to invite the ILO observer mission prior to August 1, 2013, to avoid sanctions available under Tier 3.

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<sup>79</sup> Available at <http://www.cottoncampaign.org/2012/06/20/uzbekistan-us-report-fails-child-labor-victims-unwillingness-to-impose-meaningful-consequences-allows-abuses-to-continue/>.